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**MONTEREY, CALIFORNIA**

## **THESIS**

**BUILDING PEACE IN A POST-ASSAD SYRIA**

by

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March 2013

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**BUILDING PEACE IN A POST-ASSAD SYRIA**

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## **ABSTRACT**

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This thesis explores a scenario where a post-Assad Syria faces a transition from civil war toward peace with its current borders and internal divisions. Under this construct, the challenges of creating a security environment, engineering a democracy, and achieving reconciliation stand out as both opportunities and obstacles in building a lasting peace in a divided Syria. Different approaches to each of these challenges are analyzed by comparing theoretical literature and case studies. In drawing lessons from different states' shared experiences, a rough outline of best practices is drawn. Finally, Syria's specific context is applied, offering a potential framework for a post-conflict Syria to build its peace.

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## TABLE OF CONTENTS

I.	INTRODUCTION.....	1
II.	SYRIA: A STATE WITHOUT A NATION.....	7
A.	GREATER SYRIA, THE PROVINCE.....	7
B.	SYRIA THE CLIENT STATE .....	10
C.	SOVEREIGN SYRIA .....	13
D.	ASSAD SYRIA .....	16
III.	ESTABLISH A SECURE ENVIRONMENT .....	23
A.	ACHIEVE A NEGOTIATED PEACE PLAN BETWEEN WARRING PARTIES .....	24
B.	GAIN COMMITTED AND CAPABLE INTERNATIONAL SUPPORT .....	27
C.	INCLUDE A PLAN FOR ARMS MANAGEMENT.....	31
IV.	DEMOCRATIC TRANSITION.....	39
A.	POWER CONSOLIDATION .....	40
B.	POWER SHARING.....	41
C.	POWER DIVIDING .....	43
D.	TAKEAWAYS .....	46
V.	FINDING RECONCILIATION .....	49
A.	WHY RECONCILIATION? .....	50
B.	CASE STUDIES.....	52
1.	Peru .....	53
2.	South Africa.....	54
3.	Liberia.....	56
4.	Rwanda .....	59
5.	Sri Lanka .....	62
C.	LESSONS LEARNED.....	64
VI.	CONCLUSION .....	67
A.	POST-ASSAD SECURITY ENVIRONMENT .....	68
1.	Negotiated Settlement between Leaders of Warring Parties .....	68
2.	Gain Committed and Capable International Support .....	71
3.	Agree on an Arms Management Plan .....	73
B.	DEMOCRATIC ENGINEERING .....	75
C.	POST-CONFLICT RECONCILIATION .....	78
	LIST OF REFERENCES .....	83
	INITIAL DISTRIBUTION LIST .....	93

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## I. INTRODUCTION

Syria joined the string of protests against authoritarian rule known as the Arab Spring, and is still caught in the midst. Unlike Tunisia, Egypt, and other less successful protests, Syria has been violent. Yet also unlike Libya, no side appears to be dominant: for two years violence increased in Syria as the government and rebel forces have been locked in a bloody stalemate. Insurgents and state forces each control regions in Syria. International forces have not endorsed intervention, although both sides are being armed externally. Russia supplies the Syrian military while Saudi Arabia and Qatar supply the opposition forces.<sup>1</sup> The conflict and its dynamics are significant because of Syria's importance to the long-term stability of the region. The country occupies a key geostrategic position bordering Iraq, Lebanon, Jordan, Israel and Turkey, states that are already experiencing spillover fighting and greater economic burdens due to increasing numbers of refugees.<sup>2</sup> In light of both the country's importance and the lessons learned from lack of post-conflict planning in other states, it is important that academics and policy makers consider potential stabilization policies for a post-conflict Syria.

In this thesis, I explore the challenges of building a lasting peace in a post-conflict Syria and assess potential solutions to those challenges. While the fate of Syria is not known and no particular outcome is assumed in this study, in the event of Assad's removal from power a future government will be faced with considerable stabilization obstacles.<sup>3</sup> The immediate post-conflict landscape in Syria will include the presence of multiple armed groups, a sectarian divide, and the perceived threat of reprisal among ethnic groups. Three pressing challenges that may placate or exasperate these issues include how to establish a secure environment, what type of democracy is engineered (in

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<sup>1</sup>Daniel Serwer, "Post-Assad Syria," *PRISM* 3, no. 4 (2012), 3.

<sup>2</sup> Josh Wood, "Effects of Instability Spill Over to Syria's Neighbors," *New York Times*, accessed March 8, 2013. <http://www.nytimes.com/2012/03/08/world/middleeast/effects-of-instability-spill-over-to-syrias-neighbors.html>.

<sup>3</sup> If Assad's government remains, the choice of stabilization measures would be similar to those listed in this study, but policy makers and academics would have little influence over the course of events in that scenario.

the likely event that a new regime opts for democracy), and how reconciliation is managed. The difficulty and importance of these issues is apparent today in Iraq, Libya, Egypt, and Tunisia.

This thesis will assess different approaches to post-conflict challenges and opportunities by analyzing and comparing theoretical literature and case studies. While a strict comparative analysis remains the best method for yielding conclusions, this approach is not possible here. Such a task requires controlling a host of conditions and variables in each post-conflict environment and measuring them against predefined criteria for success. Not only are there too many variables at work in an immediate post-conflict environment to perform this accurately, but the context of each post-conflict society is unique, leaving no possible example that can fit Syria's specific case.

Instead, I take a broad approach of analyzing how different states have pursued policies in meeting these three challenges and drawing lessons from their shared experiences. With this rough outline of best practices, Syria's specific context is then applied to plan a potential framework for Syria. While imperfect, this methodology is the next best possible technique to guiding Syria. This approach also requires examining a range of post-conflict societies, many of which are far removed the Middle East. The Arab Spring may eventually offer the most relevant future lessons learned for Syria. However, many current issues inside new regimes such as Egypt and Tunisia are still evolving and thus not assessed yet (aside from some immediate failures discussed such as the handing of the militias in Libya).

Not every post-conflict society faces the same challenges for securing long term peace. The internal context of a state *and* the circumstances of a conflict's end ultimately set the immediate challenges. In Syria for instance, if the government forces were to completely crush the rebels in a total victory, democratic engineering is unlikely to be a concern for the authoritarian state. Another possible outcome is the partition of a separate Alawi state, in which case border security is likely to be more pressing than reconciliation. Assessing every possible future outcome and its specific challenges and solutions becomes an ad infinitum process. For this reason, this thesis selected a single scenario where a post-Assad Syria transitions from civil war toward peace with the same

borders and internal divisions. This possibility may be deemed optimistic, but it is certainly not unimaginable. Arguably, it may also represent the only option to construct a meaningful peace in Syria.

Regardless of what path leads Syria to this scenario, the same challenges remain. How to build peace in a divided society through a secure environment, a new democracy, and a reconciliation approach? After any peace process, Syria will still possess a number of armed groups scattered throughout the country including the Syrian military, security services, and a range of state and rebel militias.<sup>4</sup> All it takes is one uncontrolled group to continue violence and spark a return to civil war or even ethnic war. In engineering a democracy, not only is the groundwork built for how effective a government can be, but sectarian divides can be manipulated by the manner of how political power is allotted. Many Christian, Alawi, and Druze minorities in Syria already fear what a Sunni dominated state will mean for their future.<sup>5</sup> If Syria ignores its past, or uses a reconciliation process to assign mass blame on minority groups, sectarian tensions may keep the state trapped in a volatile and precarious position similar to Lebanon.

Deep sectarian divisions do not go away overnight, but they can quickly explode into ethnic wars or genocide if not managed. Even if these worst case outcomes do not result immediately, postwar failures in meeting these challenges can fragment society and lead to instability as evident in Lebanon, Afghanistan, Iraq, or recent Libya.<sup>6</sup> For these reasons, it is important that policy makers give early consideration on how a post-Assad Syria can meet these challenges and build a long-term peace among a divided society. If Syria's diverse ethnic groups are to coexist peacefully, solutions are required that minimize sectarian tensions. Examining approaches to establish a security environment, engineer a democracy, and manage reconciliation in a divided society may also be relevant in similar post-conflict societies.

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4 Serwer, "Post-Assad," 4.

5 Jonathan Randall, "Syria's Threatened Minorities," *New York Times*, May 5, 2012. Accessed 15 March, 2013. [http://www.nytimes.com/2012/05/05/opinion/syrias-threatened-minorities.html?\\_r=0](http://www.nytimes.com/2012/05/05/opinion/syrias-threatened-minorities.html?_r=0).

6 Serwer, "Post-Assad," 4.

This thesis begins with a survey of Syrian history in order to understand why Syria never developed into a nation state and how it became such a divided place today. The next three chapters focus separately on the challenges of security, democracy, and reconciliation in divided societies. Literature from leading academics and case studies of how other countries have met these challenges are examined to shape a rough template of options. Finally, the fifth chapter attempts to fill in the blanks where possible with Syria's specific context in order to craft a Syrian model. The concluding framework presented for a post-Assad Syria model is outlined below. The author does not claim to have provided a definitive solution to these challenges for Syria, but hopefully offer a starting point for further discussion.

- End large scale violence with a negotiated peace settlement between the leaders of all armed groups- not figurehead representatives.
- Peace settlement should call for international guarantees and agree on an arms management structure to control violence.
- Armed groups are held accountable by combination of its leaders agreeing to abide by treaty terms and capable international force to deter any side from reneging.
- Credible third party peacekeeping force best way to manage domestic anarchy and prisoner's dilemma between rebel and government forces.
- Turkey and Russia each represent the strongest combination of state interest and military capacity to take the lead role of an international peacekeeping mission in Syria.
- The monopoly of violence should gradually be returned to a Syrian government by an agreed upon plan that manages security sector reform and disarmament of armed groups. Rebels groups cannot be expected to disarm if state security forces still pose threat.
- There is no clear superior approach to security reform and disarmament. The important factor is to sequence the two in a combined agreed upon approach. Creating new state security apparatus with select integration of rebels through joint committees may be one practical solution as many rebel leaders are career military leaders.
- Syria should adopt a power sharing democracy for a limited time period to facilitate the transition to peace. During this time, all groups will have a say in drafting a constitution, legal framework, and truth commission. To avoid locking in ethnic differences and becoming politically deadlocked, government should transition to a power dividing democratic model.

- Syria must face its past, uncover the truth, and provide a national narrative of what happened during Assad's rule in power. This begins with empowering a neutral, independent truth commission that investigates human rights abuses on all sides.
- Justice must be delivered in Syria to the extent possible on an individual basis and to both sides. Any negotiated peace with elites is likely to call for immunity from prosecution. Those not protected may benefit for a truth for amnesty program if there is a credible threat of prosecution. Witnesses, judges, lawyers must be protected and free from intimidation.
- Balancing the desire for justice with the need for reconciliation is a fine line with no set way to determine where it should go. Based on history, Syria stands a better chance of building a long term peace when the approach is closer to amnesty/forgiveness in the name of reconciliation than toward justice by prosecutions.

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## **II. SYRIA: A STATE WITHOUT A NATION**

The Syrian state today is defined as the 114,000 square mile territory (just larger than North Dakota) that borders on Turkey, Iraq, Jordan, Israel, and the Mediterranean Sea. It is an ancient land continued to be called home by many groups since the dawn of human civilization. Aleppo and Damascus are considered the oldest continually occupied cities in the world.<sup>7</sup> The nation of Syria however, is elusive to find much less define. The 22.5 million occupants of Syria are divided by sharply divided and are engaged in a bitter civil war, costing the lives of over 60,000 people according to the UN (as of January 2013).<sup>8</sup> The conflict is complex, with sides largely based around ethnic lines, fractious opposition leadership struggling to gain legitimacy over splintered rebel groups, spillover fighting among neighboring states, and continued external interference. Any attempt to understand how the Syrian people reached this point must begin with an examination of Syria's history. Who are the diverse groups living in Syria, why are they so divided, what have the people lived through, and what are each of their goals in this war?

### **A. GREATER SYRIA, THE PROVINCE**

Ancient Syria was considered to be the greater Levant region comprising Lebanon, Israel, Palestinian Territories, and parts of Jordan.<sup>9</sup> This area served as a crossroads between different cultures of Near East, Africa, and Europe. Greater Syria maintained vast resources including: coastal timbers, wine, olives, agricultural products, textiles, furniture, metal-work, glass, etc.<sup>10</sup> Kingdoms and empires fought for dominance across this bridge for thousands of years. Regions of Greater Syria were occupied by a diverse range of peoples including: Canaanites, Hittites, Amorites, Egyptians,

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<sup>7</sup> Central Intelligence Agency, "World Fact Book: Syria," continually updated. Accessed 12 November 2012. <https://www.cia.gov/library/publications/the-world-factbook/geos/sy.html>.

<sup>8</sup> Joe Sterling and Salma Abdelaziz, "U.N.'s Syria Death Toll Jumps Dramatically To 60,000-Plus," CNN. January 2, 2013. Accessed January 12, 2013. <http://www.cnn.com/2013/01/02/world/meast/syria-civil-war>.

<sup>9</sup> Horst Klengel, *Syria 3000 to 300 B.C. A Handbook of Political History* (Berlin: Akademie Verlag, 1992), 17.

<sup>10</sup> Ibid., 17–19.

Phoenicians, Aramaen, Assyrians, Babylonians, Persians, Greeks, Seleucids, Romans, Byzantines, Muslim Arabs, European Crusaders, Ottoman Turks, and the French. The conquerors of Syria largely treated the region as a province with a distant external authority.<sup>11</sup> This mixing pot of diverse cultures under a decentralized rule, offers one insight into why a nation of early Syrians failed to emerge.

From man's earliest recorded empires until the end of colonialism, Syria was almost always externally governed by either an Eastern or Western empire. Alexander the Great ended Syria's rule by early Bronze Age Eastern empires, with his conquests in 332 B.C. of the Persians. For the next thousand years, Western Empires dominated Syria with rulers of Macedonians, Seleucids (one of Alexander's successors), Romans, and Byzantines.<sup>12</sup> No empires were to have the lasting impact on Syria as the Islamic Empires of the Umayyad, Abbasids, and Ottomans. These empires placed Syria back under Eastern control from the mid-7th through the early 20th centuries.<sup>13</sup> They did not rule all of Syria continuously as Egypt, the Seljuks, Mongols, and European crusaders invaded and established areas of control for a period of time. These temporary invaders did not hinder the Arabic character that Syria acquired under the Islamic Empires. Islamic culture, religion, and Arabic language became mainstays in the Greater Syria province that has continued to dominate today.<sup>14</sup>

The Ottoman Empire was the last Islamic Empire to rule Greater Syria. It also practiced a form of decentralized rule from Istanbul with a provincial administration system. Local leaders were expected to govern areas and collect taxes from their assigned provinces on behalf of the empire.<sup>15</sup> The Empire was an Islamic (Sunni) state with restrictions on state and military service limited to Muslims. However, as *Ahl al-Kitab* (Peoples of the Book), the Christians and Jews were recognized religions and protected by the empire. There were times of hostility between the religious groups, but largely

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11 John F. Devlin, *Syria Modern State in an Ancient Land* (Boulder: Westview Press, 1983), 5-10.

12 Ibid., 6.

13 Ibid., 6-10

14 Ibid.

15 A.L. Tibawi, *A Modern History of Syria* (Edinburgh: St. Martin's Press, 1969), 28-30.

Christians and Jews were allowed to live in their own religious communities (*millets*) undisturbed.<sup>16</sup> Historian Albert Hourani describes these as:

Each was a “world,” sufficient to its members and exacting their ultimate loyalty. The worlds touched but did not mingle with each other; each looked at the rest with suspicion and even hatred. Almost all were stagnant, unchanging and limited; but the Sunni world, although torn by every sort of internal dissension, had something universal, a self-confidence and season of responsibility which the others lacked.<sup>17</sup>

The Ottoman Empire did not afford the same millet status to the Alawi and Druze, or any other Muslim-offshoot religion that was not the pure Sunni Orthodox.<sup>18</sup> These groups were looked down upon by the Ottomans and they often had a violent history with one another. The Alawi and Druze are from less accessible regions of Greater Syria, making it easier for them to withdraw to their mountains and survive on their own away from central authority.<sup>19</sup> The Ottomans tried imposing their authority several times with military expeditions to collect taxes or to respond to Alawi and Druze plundering.<sup>20</sup> Both of these minority groups, while resilient survivors, were also extremely poor. Many Alawi in the Latakia region worked as sharecroppers under wealthy Sunni landlords. Anti-Sunni resentment was very real by the time the Ottoman Empire collapsed.<sup>21</sup>

Underlying tensions between the Sunni and the other religious minorities also began to grow during the 19th century. Britain, France, and Russia began to meddle in the Ottoman state’s affairs claiming themselves “protectors.” Britain developed friendly relations with the Jews, France claimed to look after the Maronite Christians of Lebanon, and the Russians claimed their right to protect the Greek Orthodox subjects.<sup>22</sup> The Sunni began to view these minority groups as instruments of imperial European policies and

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16 Nikolaos Van Dam, *The Struggle For Power in Syria* (New York: I.B. Tauris, 2011), 3.

17 Ibid.

18 Itamar Rabinovich, “The Compact Minorities and the Syrian State, 1918–45,” *Journal of Contemporary History* 14, no. 4 (1979): 694.

19 Van Dam, *Struggle For Power*, 2.

20 Rabinovich, “Compact Minorities,” 694.

21 Ibid., 703.

22 Van Dam, *Struggle For Power*, 3.

distrusted them as a potential threat to the Empire and the Islamic community as a whole. As a consequence, relations between the Sunni majority and the religious minorities of Greater Syria deteriorated.<sup>23</sup>

## **B. SYRIA THE CLIENT STATE**

The defeat of the Ottomans in World War I collapsed the final empire in the string of Muslim Empires that dominated Syria for centuries. Many in Syria were anxious to see the demise of the Ottoman sultan and hoped to shed foreign rule for autonomy and self-government.<sup>24</sup> The leader of the Arab Revolt against the Ottoman Empire, Amir Faysal Ibn Husayni, quickly established a Syrian Congress in Damascus and on October 5, 1918, declared an “independent Arab constitutional government with authority over all Syria.”<sup>25</sup> France had no intention of permitting such an independent state and ensured Syria’s legacy of foreign rule continued. Under its governance, France sharpened the ethnic differences of Syria as a means of control.

England and France established their imperial designs on the Middle East in 1916 with the Sykes-Picot Agreement. This arrangement decided how to divide and share influence in the Ottoman territories between them once the empire was defeated.<sup>26</sup> England had an empire to maintain that required access to markets, the Eastern Mediterranean, cheap oil, and a protected route to India. France interests included: preserving ties with Maronite Christians, establishing an economic base in the Eastern Mediterranean, and containing Arab nationalism from spreading to French North Africa.<sup>27</sup> An independent Syria was not in England or France’s interests, but a client state could be. France secretly agreed to recognize a greater Syria (without Lebanon) ruled by Faysal as King, provided he accept French control of Syria’s economy, military,

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<sup>23</sup> Ibid.

<sup>24</sup> Devlin, *Syria Modern State*, 12–13.

<sup>25</sup> Ayse Tekdal Fildis, “The Troubles in Syria: Spawned by French Divide and Rule,” *Middle East Policy* 18, no. 4 (2011): 130.

<sup>26</sup> Devlin, *Syria Modern State*, 38.

<sup>27</sup> Fildis, “The Troubles in Syria,” 129.

and foreign policy. The Syrian Congress rejected this deal in March of 1920 and declared an unconditional, independent “United Syrian Kingdom” that included Palestine and Lebanon.<sup>28</sup>

The following month the League of Nation’s established mandates for Syria, Lebanon, Palestine, and Iraq at the San Remo Conference. In theory, the mandate system was a device that allowed a mandatory power to assist a “lesser advanced” state in a transition to self-rule. In reality, it proved to be an imperial tool that gave great powers a façade to pursue their own agendas without consequence to the wishes and interests of the native population.<sup>29</sup> Armed with an international mandate, France soon gave Faysal an ultimatum, sent troops to Damascus, forced Faysal and his government into exile, and imposed a mandate rule on Syria that served French interests.<sup>30</sup>

Not a stranger to nationalism and revolution, France viewed Arab nationalism as the biggest threat to its authority and control in Syria. Centuries of Ottoman rule left the heartland of Syria with an Arab and Muslim orientation.<sup>31</sup> Even the Alawi and Druze minorities on the periphery of Syria, both spoke Arabic and their religions could be considered Muslim-related as a radical sect of Shiism.<sup>32</sup> To contain any united nationalist sentiment or action, France implemented a divide and rule strategy. This was achieved by dividing Greater Syria into separate political units (along ethnic lines where possible), empowering minority rule, and encouraging regionalism.<sup>33</sup> This ultimately led to heightened distrust between the minorities and majority Sunni as well as a regional separatism that hindered any united Syrian national movement.

The most influential Syrian cities of Damascus and Aleppo were initially each given their own states to include the next largest cities of Hama and Homs. A local governor ruled over these states in conjunction with an assigned French advisor.

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28 Ibid., 131.

29 Ibid., 135–36.

30 Ibid., 132.

31 Ibid., 134

32 Rabinovich, “Compact Minorities,” 694.

33 Fildis, “The Troubles in Syria,” 132–134.

Ultimately, France was forced to combine the two districts under one administration in 1925 as a result of expenses.<sup>34</sup> Outside of the heartland Syria, other regions were made separate states and kept under isolation from the center. This helped to ensure that local elites stayed concerned with *their* regions and *their* people. Localism became an obstacle for any nationalist movement that wanted to unite all of Syria.

Lebanon—always part of the Greater Syria territory historically—was detached and given its own state *Le Grand Liban* (Greater Lebanon) in 1920. A range of Eastern Churches was concentrated in the region and eagerly wanted their own Christian homeland under French rule and protection. Many majority Muslim-populated areas were also incorporate into the new state, who strongly opposed a Christian-dominated state.<sup>35</sup> With Christian allies in control, Lebanon was less of a threat for France. By forcing a state into existence without an identity and shaping the polity based on religion, France directly created sectarian quagmire that is still unresolved and continues to haunt present day Lebanon.

The Alawi and Druze presented an ideal opportunity for France to divide the largest two minority groups from the heartland of Sunni Syria. Both groups are compact minorities (regionally concentrated) with an antagonistic history of interaction with the Sunni.<sup>36</sup> Emphasizing the unique ethnic differences, France created the state of Latakia for the Alawites and Jabal Druze for the Druze in 1922.<sup>37</sup> Once these groups had political autonomy over their homelands, the idea of joining into a larger Arab entity that would make them a negligible minority became unattractive. Furthermore, any nationalist attempt to unify Syria that was intolerant of regional concerns or self-autonomy could simply be perceived as Sunnis trying to subordinate non-Sunnis into their rule again.<sup>38</sup>

Another element to France's divide and rule strategy was to allow different ethnic groups to dominate in different branches of Syrian government. Most significant, is in

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34 Ibid.

35 Fildis, "The Troubles in Syria," 133.

36 Rabinovich, "Compact Minorities," 684.

37 Fildis, "The Troubles in Syria," 134–135.

38 Rabinovich, "Compact Minorities," 699.

recruitment of the French-controlled local military, *Troupes Speciales du Levant*, used to maintain order and suppress rebellions.<sup>39</sup> France favored a military rank and file of rural minorities because they were farther from the Arab nationalism ideology that existed primarily in the urban areas. The Sunni comprised the majority of the officer corps and mostly originated from rural areas and small towns.<sup>40</sup> Many of the urban Sunnis, especially the wealthy families, refused to allow their sons to join and serve France's interests. While these Sunnis general despised the military, it was an attractive option for minorities like the Alawites to increase their social status with a secure salary and a position of importance.<sup>41</sup> The future Syrian army entailed 8 infantry battalions of which nearly half were Alawites. Additionally there were special detachments comprised of strictly Alawites, Druze, Kurds, and Circassians.<sup>42</sup>

### C. SOVEREIGN SYRIA

Just as the end of the First World War resulted in a transition of power in Syria, the Second World War did so again and finally set the stage for Syrian independence. France's early defeat left Nazi Germany free to utilize Vichy French territories like Syria to support their aircraft. This was unacceptable for Great Britain, who soon led a military force alongside the Free French to occupy Syria.<sup>43</sup> When the war ended, France was reluctant to cede control of Syria, causing an explosion of anti-French protests and military response. Britain leveraged its position of power and authority to negotiate from France a withdrawal of their troops. On April 17, 1946, the last French forces departed Syria, leaving the region free to govern itself for the first time.<sup>44</sup>

France's departure gave Syria an independence day to celebrate, but offered little else to Syria in terms of preparing to govern an independent state. Two decades of French

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39 Ayse Tekdal Fildis, "The Roots of Alawite-Sunni Rivalry in Syria," *Middle East Policy* 19, no. 2 (2012): 151.

40 Ibid.

41 Ibid.

42 Ibid.

43 Devlin, *Syria Modern State*, 43–44.

44 Ibid.

ruling Syrian under a mandate to prepare Syria for self-rule and still “Syria remained without independence, without institutions of self-government and without territorial unity.”<sup>45</sup> France did develop infrastructure and a system of state schools, including the University of Damascus.<sup>46</sup> Ultimately, French policies divided Syria on ethnic and regional lines and hindered the development of any consolidated Syrian-nation state. There was no Syrian identity in the new independent Syrian state.<sup>47</sup>

Political elites emerged in Syria who had little experience in running a national government and were largely concerned with their regional problems. Some were despised for achieving wealth and power through conciliation with the French.<sup>48</sup> Adding to the challenges of new Syrian government was reintegrating the Alawi and Druze regions that were accustomed to autonomy and now naturally suspicious of Sunni elites. Habib Kahalah, a member of the first Syrian Parliament described the 1947 Parliament characteristics: “I look around me and see only a bundle of contradictions... Men whom nothing united, sharing no principles... some were illiterate, others distinguished men of letters; some spoke only Kurdish or Armenian, others only Turkish; some wore a tarbush, others a kafiye...”<sup>49</sup>

The period of 1946–1971 for Syria is perhaps best described as chaotic. The Syrian government faced a myriad of challenges including: how to overcome deeply rooted regionalism and political rivalries, construct an economy independent of France, manage state resources, and handle international relations. Israel was also created during this time as a dangerous neighbor who proved more than capable of defeating Syrian military forces.<sup>50</sup> Syria’s humiliating defeat and angry populace opened the door for the military to insert itself in politics with a coup in March of 1949.<sup>51</sup> There would be six

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45 Fildis, “The Troubles in Syria,” 136.

46 Devlin, *Syria Modern State*, 43.

47 Fildis, “Alawite-Sunni Rivalry,” 150.

48 David W. Lesch, *The New Lion of Damascus* (New Haven: Yale University Press, 2005), 7.

49 Fildis, “Alawite-Sunni Rivalry,” 150.

50 Lesch, *Lion of Damascus*, 8.

51 Ibid.



more major changes in government over the next six years, mostly as a result of additional military coups.<sup>52</sup> The rise of the Ba'ath and military power were to set Syria on its current course.

While there was no specific Syrian identity after independence, there was a strong pull toward an Arab identity. Arab nationalists throughout the post-Ottoman provinces advocated unifying as an Arab people and shedding the artificial boundaries imposed by Europe. Arab nationalism was historically associated with Sunni Islamism that placed all other non-Sunni Arabs in a secondary status.<sup>53</sup> Syria's religious minorities suspected these movements. A more moderate Pan-Arabism ideology also emerged that the Arab states should cooperate together in matters of culture, economics, politics, and other such spheres.<sup>54</sup> From this grew an alternative form of pan-Arab nationalism that was to leave a permanent impact on Syria today—Ba'athism.

The Ba'ath party was formed by an Orthodox Christian and a Sunni Muslim in 1940. They advocated a united secular Arab society where Arabs were equal based on being an Arab, be they Sunni, Shia, Alawite, Christian, etc.<sup>55</sup> The minorities of Syria found this form of nationalism much more appealing. The party later included socialism as “social justice for the poor and underprivileged.”<sup>56</sup> Soon, the party had a strong following of peasants, rural farmers, and minority cadets and officers. The party was disbanded in 1958 (along with every other political party) during a three-year union with Egypt. Many Ba'ath military officers continued to meet in secret, with its leaders being two Alawites and a Druze. When the experiment with Egypt failed, the military was poised to stage yet another coup in March of 1963.<sup>57</sup>

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52 Douglas Little, “Cold War and Covert Action: The United States and Syria, 1945–1958,” *Middle East Journal* 44, no. 1 (1990): 56.

53 Fildis, “Alawite-Sunni Rivalry,” 153.

54 Daniel Pipes, *Greater Syria* (New York: Oxford University Press, 1990), 103.

55 Fildis, “Alawite-Sunni Rivalry,” 153.

56 Ibid.

57 Ibid., 152.

The 1963 coup served as the final reagent to fundamentally alter the military leadership. The Sunni had always maintained control of the military by placing Sunni senior officers in top positions. After years of military coups and rival factions, the Sunni representation dropped as the minority officers rose to higher positions, particularly the Alawites. “As Sunni officers eliminated each other, Alawites inherited their positions and became increasingly senior; as one Alawi rose through the ranks, he brought his kinsmen along.”<sup>58</sup> After the March coup, political opponents and military officers were purged and Alawites filled the ranks of new positions. Graduating Sunni cadets were denied their commissions. Sunni Ba’ath officers attempted a violent counter-coup on July 18th, 1963 against the minority officers and failed. The Alawites were in firm control of the Syrian military and Ba’ath political party.<sup>59</sup>

#### **D. ASSAD SYRIA**

In 1970, the Alawi General Hafiz al-Assad seized power in what was Syria’s 20th military coup (including attempts) since gaining independence in 1946.<sup>60</sup> The immediate challenge facing the new president was to bring stability to Syria. To that end, Hafiz Assad was successful in achieving stability through crafting a strong authoritarian state. His firm grasp on the ruling Ba’ath party and military ended the factional infighting among the political and military elites that plagued Syria for decades.<sup>61</sup> Hafiz did receive two challenges to his authority during his three decades of power. His brother Rif’at attempted a take over after Hafiz had a heart attack and Sunni fundamentalists staged a failed uprising in Hama. Hafiz prevailed in both instances and continued a stable government.<sup>62</sup> This stability was maintained through developing a cross-ethnic support base and maintaining an efficient and loyal security apparatus.

Assad Syria has privileged many Alawi but it has never been simply a client state for the Alawi. Such a state would surely be unstable and unlikely to survive. Hafiz made

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<sup>58</sup> Ibid.

<sup>59</sup> Ibid., 155.

<sup>60</sup> Flynt Leverett, *Inheriting Syria* (Washington, DC: Brookings Institution Press, 2005), 23.

<sup>61</sup> Ibid.

<sup>62</sup> Ibid.

a range of efforts to build a broad base. A rural land reform act mobilized a significant number of farmer peasants. The Ba'ath party was an instrumental device in reaching both peasants and bourgeoisie through professional associations, unions, and other such mass organizations.<sup>63</sup> Many of the middle class were brought into the regime's support structure through government-driven economic liberalization and by becoming dependent on the state for employment in the public sector and state agencies. Additionally, the Alawi military elites formed alliances with Damascene Sunni business elites and Christians.<sup>64</sup> And while the secular nature of government appealed to the minority religions, Hafiz also made direct efforts to reach the Sunni including performing public prayers, quoting from the Quran in speeches, and appearing in public with senior Sunni religious officials.<sup>65</sup>

The military and intelligence services are the backbone of Assad's power. Hafiz became the first Syrian leader to have a firm control of all the armed forces.<sup>66</sup> He used this power to control appointments and dismissals of loyal family and Alawi officers in key operational commands. The intelligence services actively conduct surveillance on the population for any potential threat to the state, have extra-legal powers, and maintain files on select individual's loyalty.<sup>67</sup> The service is also responsible for screening military officers and political candidates before being eligible for promotion or office. This allowed Assad an ability to exert control over military and political centers of power. Finally, Assad routinely replaced regional security chiefs to prevent someone from using their power to establish a fiefdom.<sup>68</sup>

When Bashar al-Assad succeeded his father in 2000, he inherited the same Syrian power structure that provided stability but also the same problems that threatened the continuity. One such unresolved problem is the sectarian cleavage between the Sunni

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<sup>63</sup> Ibid., 24–25.

<sup>64</sup> Raymond Hinnebusch, "The Ba'ath Party in Post-Ba'athist Syria: President, Party and the Struggle for 'Reform,'" *Middle East Critique* 20, no. 2 (2011): 110.

<sup>65</sup> Van Dam, *Struggle For Power*, 142.

<sup>66</sup> Hinnebusch, "Ba'ath Party," 111.

<sup>67</sup> Ibid., 111–112.

<sup>68</sup> Ibid.

majority and the religious and ethnic minorities.<sup>69</sup> Despite some alliances and measures aimed at gaining support, Hafiz was never able to unify Syria. The majority of Sunni who did not directly benefit from Ba'athist rule, continued to perceive the regime as a sectarian Alawi-dominated government who took power by force and now wield it to suppress the people and their religion.<sup>70</sup> This is a deep-rooted problem but was not the most pressing for Bashar. The combination of class alliances and a strong security apparatus was enough to contain the problem for his father (as evident when the military crushed the 1982 Sunni uprising in Hama).<sup>71</sup>

A more immediate challenge for Bashar Assad was the state of the Syrian economy. Syria retained a largely unreformed socialist economy under Hafiz Assad with a rapid population expansion.<sup>72</sup> In 2001, the World Bank estimated that the population growth in Syria would require a 5% GDP growth just to sustain development. Corruption and inefficient allocation of resources made this impossible. The public sector employed 73% of the labor force while answering for only 33% of the GDP.<sup>73</sup> The government spent nearly half of its revenue on maintaining the military and intelligence services while the national debt continues to increase. Oil is the primary source of revenue for the state yet the reserves are continuing to dwindle in production. Domestic consumption has increased, lowering the amount available for export.<sup>74</sup>

Bashar Assad made economic reform one of his first priorities. Corruption was a known problem among state and military elites that have continually used its power to enrich themselves. Early on under Hafiz Assad, these elites were once eager forces for radical change. Now that a system has awarded them wealth and privileges, they became

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<sup>69</sup> Leverett, *Inheriting Syria*, 35.

<sup>70</sup> Van Dam, *Struggle For Power*, 139–141.

<sup>71</sup> Ibid., 111–112.

<sup>72</sup> Leverett, *Inheriting Syria*, 33–34.

<sup>73</sup> Jeremy M. Sharp and Alfred B. Prados, *Syria: Political Conditions and Relations With the United States After the Iraq War*, U.S. Congressional Research Service Report RL32727 (Washington DC: Office of Congressional Information and Publishing, January 20, 2006), 9.

<sup>74</sup> Ibid., 10.

obstacles for radical change.<sup>75</sup> Assad began by purging many of his father's old guard elites in the military and bureaucracy and appointing younger replacements loyal to himself.<sup>76</sup> In 2003, Assad made the bold decree that all future appointments to government positions and public economic sector would be merit-based rather than party affiliation. Furthermore, the Ba'ath party was directed to stop intervention in the economy and the government would now be responsible for initiating new policy-making procedures. The president also initiated an anti-corruption campaign and encouraged the media to conduct investigative reporting.<sup>77</sup>

Under Bashar Assad, Syria made some economic progress. But overall, the economic problems continued to grow faster than reforms. Syria's relations with Iran and Hezbollah have left the country in position of international isolation. Strong U.S.-led sanctions limit western banks and businesses from investing and significantly reduced the amount of trade flowing in and out of Syria. Syria is unable to even repair the Boeing planes from its national air carrier Syrian Arab Airlines or procure new ones from Europe (as Airbus uses American parts in its planes).<sup>78</sup> From 2003–04, 5.1 million Syrians (over 30% of the population) were living below the poverty line.<sup>79</sup> The old problems of a heavy public sector employment, high military spending, and corruption remained, as new economic woes emerged.

As oil revenues began to decline, less money was available for government infrastructure. Yet the demands continued to grow with population growth and an unforeseen burden of Iraq war refugees. A 2007 IMF estimate claimed that Iraqi refugees numbered 1.3 million or 7% of the Syrian population (with less than 80,000 receiving

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<sup>75</sup> Van Dam, *Struggle For Power*, 141.

<sup>76</sup> Hinnebusch, "Ba'ath Party," 114.

<sup>77</sup> Ibid., 114–118.

<sup>78</sup> Jeremy M. Sharp, *Syria: Background and U.S. Relations*, U.S. Congressional Research Service. Report RL33487 (Washington DC: Office of Congressional Information and Publishing, Apr. 26, 2010), 16.

<sup>79</sup> Bassam Haddad, "Syria's Curious Dilemma," *Middle East Report* 236 (2005): 11.

international aid).<sup>80</sup> Most of these refugees settled in urban areas, causing an increased demand in housing, energy, and food that could not be effectively matched by supply. As a result, there was an increase in real estate, rental, food, and energy prices as well as a rising inflation.<sup>81</sup> There was also a heavy increase on public services like hospitals and education, where overcrowding and working double-shifts became common. The Syrian government reported that the refugees were costing them \$2 billion per year, and closed their border to Iraq and increased entry visa requirements in response.<sup>82</sup> Adding to these troubles, four consecutive droughts hit Syria from 2006–10, collapsing irrigation systems, reducing wheat production, killing livestock, forcing hundreds of villages to migrate, and pushing 2–3 million people into extreme poverty.<sup>83</sup>

Syria continued to be a repressive police state marred in economic problems, when the Arab Spring began in December of 2010 with protests in Tunisia. Small isolated protests grew into massive civil unrest and popular demand for regime change. This spread throughout North Africa and then into the Middle East. Assad and others believed that the strong security apparatus and public fear of sectarian violence would prevent the uproar from reaching Syria.<sup>84</sup> In March of 2011, children in Dara'a were arrested and tortured for scrawling anti-government graffiti. This proved to be the catalyst that ignited mass protests and peaceful demonstrations for reforms in Syria.<sup>85</sup>

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80 Tillman Brück, Christie, Binzel, and Lars Handrich, *Evaluating Economic Reforms in Syria*. Deutsches Institute für Wirtschaftsforschung Berlin, Politikberatung Kompakt 35, December 2007, 22.

81 Ibid., 22-23.

82 W. Andrew Terrill, "Regional Spillover Effects of the Iraq War," *Strategic Studies Institute*, December 2008. Accessed December 8, 2012.  
<http://www.strategicstudiesinstitute.army.mil/pdffiles/PUB901.pdf>.

83 Robert F. Worth, "Earth is Parched Where Syrian Farms Thrived," *New York Times*, October 14, 2010. Accessed December 8, 2012.  
[http://www.nytimes.com/2010/10/14/world/middleeast/14syria.html?\\_r=0&pagewanted=print](http://www.nytimes.com/2010/10/14/world/middleeast/14syria.html?_r=0&pagewanted=print).

84 Jeremy M. Sharp and Christopher M. Blanchard, *Armed Conflict in Syria: U.S. and International Response*, U.S. Congressional Research Service Report RL33487 (Washington DC: Office of Congressional Information and Publishing, Aug. 21, 2012), 1–2.

85 Ibid.

The government responded with some half-hearted reform measures and brutal military force. As the protests continued to become more organized and widespread, the military responded with increasingly violent force. As a result, the opposition also became increasingly violent with early militias joining the “Free Syrian Army (FSA),” founded by military defectors. The conflict has continued to spiral into chaos with a full-scale civil war between government forces and a plethora of armed groups with different interests.<sup>86</sup>

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<sup>86</sup> Roland Popp, “The Syrian Civil War: Between Escalation and Intervention,” Center for Security Studies, November 2012. [http://www.humansecuritygateway.com/documents/CSS\\_TheSyrianCivilWar.pdf](http://www.humansecuritygateway.com/documents/CSS_TheSyrianCivilWar.pdf).

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### III. ESTABLISH A SECURE ENVIRONMENT

The baseline for peace and stability in any state begins with having a secure environment. A safe and secure environment can be defined as, “one in which the population has the freedom to pursue daily activities without fear of politically motivated, persistent, or large-scale violence.”<sup>87</sup> Without this sustainable environment, a society will struggle to perform even basic civic activities such as attending school or operating a business. Advanced activities often associated with post-conflict societies, such as restructuring state institutions or fostering a new rule of law, require a safe and secure environment for society to be actively engaged.<sup>88</sup>

A secure environment that offers a degree of public order for civil society to return to routine pre-war activities will depend on physical and territorial security. Physical security requires that “political leaders, ex-combatants, and the general population are free of fear from grave threats to physical safety.”<sup>89</sup> Territorial security encompasses protecting the state from invasion, secure borders, and ensuring “people and goods can freely move throughout the country and across borders without fear of harm to life and limb.”<sup>90</sup> The termination of a military conflict does not automatically grant this security environment. Iraq and Afghanistan are recent reminders of how a post-conflict environment may become more dangerous to civilians than the actual armed conflict.<sup>91</sup>

Attaining physical and territorial security requires both ending the large-scale violence and providing a measure of control over armed groups. This includes insurgents, criminals, leaders, and groups who perceive such a security environment as a threat to

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<sup>87</sup> United States Institute of Peace and United States Army Peacekeeping and Stability Operations Institute, *Guiding Principles For Stabilization and Reconstruction* (Washington, DC: United States Institute of Peace Press, 2009), 6–38. [Hereafter cited as USIP, *Stabilization and Reconstruction*.]

<sup>88</sup> Ibid.

<sup>89</sup> Ibid., 6.38–39.

<sup>90</sup> Ibid.

<sup>91</sup> Robert Muggah, “Emerging From the Shadow of War: A Critical Perspective on DDR and weapons reduction in the post-conflict period,” *Contemporary Security Policy* 27, no. 1 (2006): 190.

their power, interests, or views.<sup>92</sup> These spoilers must be managed and small-scale violence contained from erupting into larger conflict. Violence is unlikely to disappear from any society, but reducing it to non-continuous sporadic events provides space for both civil society and the state to continue moving an agreed upon end state.

The initial objective then for a post-conflict state is to achieve physical and territorial security environment that ends large-scale violence, contains small-scale violence, and manages spoilers. How can a state best achieve these goals? Like any conflict theory, there is no silver bullet that gives a perfect solution. What has worked one in country may have failed in another. If there were a universal blue print, states like Afghanistan and Libya would surely be following it. In examining how other states emerging from civil war have succeeded or failed in their endeavor to create a security environment, this chapter highlights three elements that make establishing and maintaining a security environment more likely to succeed:

- Achieve a negotiated peace plan between the leaders of warring parties.
- Obtain committed and capable international support.
- Agree on a joint arms management plan.

#### **A. ACHIEVE A NEGOTIATED PEACE PLAN BETWEEN WARRING PARTIES**

It is logical to contend that getting belligerents to agree to stop fighting is a step creating a security environment. Yet truces and cease-fires are not solutions by themselves to achieving long term peace and security. Historically, they have not even ended large-scale violence the majority of the time. From 1945–2009, war has recurred in 57% of countries that experienced civil war.<sup>93</sup> Scholars primarily attribute the causes of civil war recurrence to be as a result of a government too weak to commit to a settlement, social grievances among rebels remain unmet, or that opportunity costs on either side favor renewed conflict.<sup>94</sup> In order to achieve sustained peace, it is imperative that

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<sup>92</sup> Stephen John Stedman, “Spoiler Problems in Peace Process,” *International Security* 22, no.2 (1997): 5.

<sup>93</sup> Barbara F. Walter, “Conflict Relapse and the Sustainability of Post-Conflict Peace,” World Development Report Background Paper, World Bank, September 13, 2010, 1.

<sup>94</sup> *Ibid.*, 4–8.

warring parties carefully craft an agreed upon settlement with substance designed to address these potential pitfalls and lay the framework for a sustained secure environment.

Ultimately, a civil conflict ensues as a result of at least one group upset with the status quo and using violence as a means of redress.<sup>95</sup> When neither side can win militarily, the basis for a peace settlement revolves around some form of agreement for cessation of hostilities and address of grievances. Every conflict has its own unique context and often varying political, economic, or social grievances. It is not the goal of this chapter to survey the varying options and clauses for grievance addresses— rather to suggest that in addition to the basic peace settlement, three crucial elements best foster a security environment. These include: *ensuring the peace agreement is signed by the leaders of armed forces* (who can thus be held accountable), *calling on international peacekeeping*, and *including a disarmament plan*.

A treaty between belligerent groups is naturally signed by its leaders. These leaders are assumed to have control of their armed forces and capable of issuing ceasefire or withdrawal orders that will be followed. Heads of state are often de-facto military leaders for the professional, structured state military. Rebel factions and militias are likely to be less structured, but still have someone at the top who gives orders. It is critical that all these warring leaders who control means of violence are brought to the negotiating table instead of figureheads with no impact to the security environment.<sup>96</sup> Capturing the signatures of war leaders does not guarantee sustainable peace in of itself, but it does help to shape the security environment by officially holding individuals accountable for the conduct of their respective forces.

The risk of not including all belligerent parties in a peace settlement was highlighted by the 2008 Goma peace agreement between the Congolese government and rebels. Twenty-two armed rebel groups agreed to peace terms, but one of the most important factions, the Democratic Forces for the Liberation of Rwanda (FDLR), was not

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<sup>95</sup> Thomas E. Fores, and Irfan Nooruddin, “Credible Commitment in Post-Conflict Recovery,” in *Handbook on the Political Economy of War*, ed. Christopher Coyne et al. (London: Edward Elgar, 2011), 12.

<sup>96</sup> USIP, *Stabilization and Reconstruction*, 6–49.

party to the agreement.<sup>97</sup> While the other rebel groups initially began to honor their ceasefire and withdraw forces, the FDLR continued to press attacks. As hostilities between the government and FDLR continued, other rebel groups then abandoned their peace commitments and resumed hostilities in order to avoid losing ground to the FDLR.<sup>98</sup> This example also highlights the danger that a single powerful spoiler group can have if left in a position to sustain conflict. Armed groups must be included into the peace process or weakened quickly before sustained conflict entices other groups to derail from the peace process.

It is also conducive to the security environment if belligerent leaders agree to call on international peacekeeping to support and enforce the peace terms.<sup>99</sup> Involvement of international peacekeeping does not guarantee the success of sustained , but an unbiased third party can facilitate crucial roles in the mediation process by serving as an arbitrator, offering neutral security to both sides during negotiations, or by including experts to help draft a peace treaty.<sup>100</sup> Even more important however, is the role that international peacekeepers can fill once the treaty is signed.

Once leaders of government and rebel forces agree to end conflict in a civil war, a state of domestic anarchy is likely to exist. There is no dominant authority to regulate the actions of either state or rebel actors. Strong levels of hatred and distrust between armed groups may invite a prisoner's dilemma situation where an actor can benefit by reneging on his or her peace agreements with any shift in power or perceived advantage.<sup>101</sup> Without a third party to observe and enforce a treaty, neither side may be willing to commit to the terms. The state has no reason to trust that rebels will commit to ending their military campaign once agreeing to concessions. They may instead take advantage of government troop withdrawals to capture critical locations and use it to leverage for

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97 Sarah E. Kreps, "Why Does Peacekeeping Succeed or Fail? Peacekeeping in the Democratic Republic of Congo and Sierra Leone," in *Modern War and the Utility of Force*, ed. Jan Angstrom et al. (New York: Routledge, 2010), 14.

98 Ibid., 10–12.

99 Fores and Nooruddin, "Credible Commitment," 3.

100 Ibid., 21.

101 Ibid., 4.

more concessions. On the same hand, rebels have little incentive to trust that the state will honor its agreements. Government forces may instead wait until rebels have come out of hiding, begun to disarm, and then annihilate them.<sup>102</sup> For these reasons, it is imperative that military leaders agree to call for an unbiased international actor to serve as a neutral authority capable of guaranteeing that “groups will be protected, terms will be fulfilled, and will promises will be kept (or at least they can ensure that groups will survive until a new government and a new national military is formed.)”<sup>103</sup>

## **B. GAIN COMMITTED AND CAPABLE INTERNATIONAL SUPPORT**

International peacekeeping is far from an end all solution for a state’s post-conflict security situation. Peacekeeping forces do provide an ability to establish an immediate artificial security environment that facilitates cooperation between belligerent parties and allows them to follow through on their post-conflict commitments. When a negotiated settlement calls for international peacekeeping, there is less chance that a belligerent side will return to war. A statistical and empirical study revealed that “the risk of another war is significantly lower when peacekeepers are present than when belligerents are left on their own in the aftermath of war.”<sup>104</sup> The study determined the risk of war recurrence was reduced by 55–60% in a state when peacekeepers were present at 75–85% less likely after their mission concludes.<sup>105</sup> Additionally, interviews from various conflicts found strong support for peacekeeping as tool of stability from both government and rebel leaders.<sup>106</sup>

International peacekeeping is a mixed bag. Many different countries participate for a variety of different reasons in international peacekeeping usually as part of an international organization such as the United Nations, European Union, African Union, or

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102 Michaela Mattes and Burcu Savun, “Fostering Peace After Civil War: Commitment Problems and Agreement Design,” *International Studies Quarterly* 53 (2009): 739–740.

103 Barbara Walter, “The Critical Barrier to Civil War Settlement,” *International Organization* 51, no. 3 (1997): 340.

104 Virginia Page Fortna, *Does Peacekeeping Work? Shaping Belligerents’ Choices after Civil War*, (Princeton: Princeton University Press, 2008), 173.

105 Ibid.

106 Ibid.

NATO. Regardless of the patch worn, peacekeepers are ultimately representative of an individual state's military personnel and equipment. Just as the political will and resources of contributing states are not equal, nor are the capabilities of its military forces. Ultimately, different political and military situations can set different peacekeeping requirements. The one constant in international peacekeeping is that a neutral authority must be viewed by all parties as a credible force that makes the costs of reneging on the peace terms much higher than any perceived benefit of cheating.<sup>107</sup> This credibility is best achieved when a third party has a legitimate state interest in committing to the peace and also possesses the military capacity to signal resolve and punish either violating party.<sup>108</sup>

An external state that takes on the hazardous role of a peacekeeping authority is ultimately risking its blood and treasure for the cause. A state is more likely to commit its resources in hostile environments if it views the peacekeeping as part of its national interests or security.<sup>109</sup> Humanitarian concern is a voiced interest in the international community, but the strongest state interests have historically revolved around strategic interests, economic investments, security, alliance loyalties, or past colonial ties.<sup>110</sup> Without such a state self-interest at stake, peacekeeping commitment and perceived credibility may be vulnerable to the actions of spoilers who seek to undermine the peace process. This explains a number of failed peacekeeping operations in the 1990s that occurred in hostile environments with no ties to national interests.<sup>111</sup> Somalia is perhaps the most striking example. Despite a strong troop commitment of 25,000 U.S. and UN troops, the single 1993 engagement that cost the lives of 18 Americans in Mogadishu prompted an immediate end to the mission and withdrawal of U.S. and allied forces from the region.<sup>112</sup>

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107 Walter, "Critical Barrier," 340.

108 Ibid., 340–341.

109 Stephen John Steadman, introduction to *Ending Civil Wars* ed. Stephen John Steadman, et al. (Boulder: Lynne Rienner Publishers, 2002), 3.

110 Walter, "Critical Barrier," 340.

111 Steadman, *Ending Civil Wars*, 3–6.

112 Ibid.

State interest and the political will to commit to peacekeeping is not enough by itself to be perceived as credible. A neutral peacekeeping authority must also have the military capacity to project deterrence throughout the region and to attack groups that violate the treaty. A force will quickly lose credibility if it is concentrated in a few cities and can do nothing to prevent the atrocities raging in the countryside. This is one of the key problems hindering effective peacekeeping in Congo.<sup>113</sup> Congo is nearly the size of Western Europe with much rugged terrain and little infrastructure. UN peacekeepers established a security environment around six urban areas where it conducts local patrols from. The vast majority of the country remains uncontrolled and any armed groups are free to operate as they wish with little threat of retribution.<sup>114</sup>

In addition to having a peacekeeping force capable of projecting deterrence, the force should also be greater than either side's armed forces. This provides credibility, as it is apparent that the neutral authority is capable of punishing a violating party.<sup>115</sup> If for instance a state military has used advanced fighter jets and tanks against rebels, then a peacekeeping contingent of light infantry does not signal a resolve that is capable of protecting the rebels or attack the more powerful military if it resumes hostilities. If combatants do not feel that the peacekeeping force is capable or willing to protect them, they cannot be expected to lay down their arms.<sup>116</sup>

The significance of military capacity in peacekeeping has been particularly emphasized throughout Africa. Africa is a continent full of civil wars, insurgents, and peacekeeping forces.<sup>117</sup> The solution to long-term peace and security in this region according to the United States and other Western countries is for Africa to secure its own

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113 Kreps, "Peacekeeping Succeed or Fail," 10–12.

114 Ibid.

115 Walter, "Critical Barrier," 340–341.

116 Sean McFate, "There's a New Sheriff in Town: DDR-SSR and the Monopoly of Force," in *Monopoly of Force: The Nexus of DDR and SSR*, ed. Melanne A. Civic, et al. (Washington, DC: National Defense University, 2010), 216.

117 Center on International Cooperation [CIC], *Annual Review of Global Peace Operations 2012*, (Boulder: Lynne Rienner Publishers, 2012), 1.

region.<sup>118</sup> Yet even if an African state perceives it is in its national interest to commit peacekeeping in a neighboring state, many simply lack the military capacity to achieve the mission. In a 2007 interview with the commander of the African Union Mission in Sudan (AMIS), General Martin Agwai lamented about lack of military equipment hindering his mission.<sup>119</sup> Insufficient armored personnel carriers and helicopters (no state had contributed a single one at the time) made even the most routine operations challenging. This included observing force movements, deploying troops, distributing aid, performing medical evacuations, or even accessing water that was often located miles away from the peacekeeping camps.<sup>120</sup> [Despite the UN later joining the AU peacekeeping force, obtaining donor military equipment remains a challenge with only 5 helicopters out of a minimum 24 requirement having been provided in 2011.<sup>121</sup> ]

A lack of military capacity not only undermines the credibility of a peacekeeping force but also provides an incentive for a stronger military to renege on peace terms. This proved to be the case for the United Nations Mission in Sierra Leone (UNAMSIL) in 1999. The initial UN peacekeeping force consisted of lightly-armed and poorly trained infantry units largely from India, Kenya, Nigeria, and Zambia.<sup>122</sup> The rebel Revolutionary United Front (RUF) repelled UN attempts to seize RUF-controlled diamond mines and subsequently attacked the UN force, capturing 500 peacekeepers. This victory prompted a full renouncement of the ceasefire and led the RUF to advance on the capitol.<sup>123</sup> Great Britain responded to these events of its former colony by intervening with the largest British taskforce since the Falklands. This included an aircraft carrier, helicopter carrier, assault ship, 700 paratroopers, and 600 Royal Marines.

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118 U.S. State Department, "U.S. Supports Development of Peacekeeping Capacity in Africa," September 20, 2012. Accessed January 3, 2013. <http://london.usembassy.gov/africa122.html>.

119 "Sudan: Darfur Peacekeeper Warns of High Expectations," November 2007 interview with General Martin L. Agwai. Accessed January 3, 2012. <http://allafrica.com/stories/200711060094.html?viewall=1>.

120 Ibid.

121 CIC, *Peace Operations 2012*, 64.

122 Kreps, "Peacekeeping Succeed or Fail," 16.

123 Ibid., 16–17.



<sup>124</sup> Within 5 weeks the country began to stabilize, the RUF was in full retreat, the UN redeployed with a stronger force, and a clear international signal of resolve was delivered. The ability to rapidly deploy advanced aircraft and elite infantry to stabilize a deteriorating situation required a military capacity well beyond the limits of the current peacekeepers.<sup>125</sup> Britain left hundreds of its troops behind and utilized its short-term stability to assist the government in training its military, disarming the RUF rebels, and gain control over diamond mines. In 2005, the UN declared the mission a success.<sup>126</sup>

### C. INCLUDE A PLAN FOR ARMS MANAGEMENT.

German sociologist Max Weber famously defined the state as the community that has a monopoly on the use of *legitimate* violence. This definition is widely accepted and used as a measuring stick for modern governance.<sup>127</sup> Thus, it is paramount for a government to control the armed forces within its borders as a natural prerequisite for state stability and order. But what about when a state has lost control and employs its military and security services against other internal armed groups? This results in a challenging dichotomy. The state cannot be secure so long as there are independent armed forces occupying territory within its borders. In order to restore the monopoly of violence, it is an unavoidable requirement for these groups to disband and disarm.<sup>128</sup> Yet to disband and disarm is for rebels to relinquish their means of protection and leverage, and to cede power to the very state forces that they've been fighting against. Therefore, in addition to the agreed upon political address of grievances, there must also include changes to the state security structure that ensures it will not attack them.<sup>129</sup> These processes are traditionally broken into two categories: disarming, demobilizing, and reintegrating armed groups (DDR) and security sector reform (SSR).

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<sup>124</sup> Ibid., 17.

<sup>125</sup> Ibid., 17.

<sup>126</sup> Ibid., 18.

<sup>127</sup> Melanne A. Civic and Michael Miklaucic, introduction to *Monopoly of Force: The Nexus of DDR and SSR*, ed. Melanne A. Civic, et al. (Washington, DC: National Defense University, 2010), XVI.

<sup>128</sup> Walter, "Critical Barrier," 338–339.

<sup>129</sup> Ibid.

The importance of managing armed groups in a post-conflict society is crucial to fostering a secure and safe environment. DDR and SSR programs are recognized by the international community as essential elements to post-conflict peace building.<sup>130</sup> If combatants do not turn in their arms and reintegrate in society through a DDR program, they may resume violence on a personal level or organize into gangs and challenge the new security institutions (which is likely to have a limited early capacity).<sup>131</sup> If a SSR program fails to develop or gain credibility, people will find their security elsewhere including religious or ethnic-based militias. Also, territorial spaces that are out of the reach of a state's security may offer safe havens for armed non-state actors that contribute to conflict and destabilization.<sup>132</sup> This has proved to be one of the ongoing challenges in Afghanistan where Taliban and tribal leaders continue to administer security and justice in areas outside the reach of state security.<sup>133</sup>

While it is easy to recognize the utility of DDR and SSR programs to affect a secure environment, formulating and implementing these programs has proven challenging. Both programs are extremely complex, volatile, and time and-resource-intensive.<sup>134</sup> After a negotiated peace settlement occurs, DDR and SSR programs are expected to reduce arms and craft an effective state security apparatus often in a society with no history of transparency or civilian oversight of armed forces. The police and judiciary may be weak or complicit in continuing violence.<sup>135</sup> While fighters are expected to turn in their weapons, there is often heightened criminal activity and a general fear of oppression and injustice in post-conflict societies.<sup>136</sup>

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130 Alan Bryden and Vincenza Scherrer, "The DDR-SSR Nexus: Concepts and Policies," in *Disarmament, Demobilization and Reintegration And Security Sector Reform*, ed. Alan Bryden et al. (Zurich: Lit Verlag, 2012), 3.

131 United States Institute of Peace [USIP], "The Link Between DDR and SSR in Conflict-Affected Countries," Sean McFate. May 2010. Special Report 238, 2–3.

132 Ibid.

133 Ibid.

134 USIP, *Stabilization and Reconstruction*, 6–47.

135 Muggah, "Emerging Shadows," 198. 197.

136 USIP, *Stabilization and Reconstruction*, 6–47.

Because the exact environment within each post-conflict state is unique, an equally unique arms management approach must be applied. Specifically, the interests of political and security elites, non-state actors, regional powers must be taken into account.<sup>137</sup> These interests have resulted in a variety of arms management models occurring over the past three decades. Judging success or failures in each case is frustratingly a relative assessment from different experts, as there is no universal definition of success. For example, the UN's DDR-SSR program in Liberia resulted in over 100,000 ex-combatants disarmed and demobilized (including 11,000 child soldiers). At the same time a large number of former combatants kept their arms, joined criminal groups, and remain heavily involved in illegal gold and diamond mining.<sup>138</sup> Depending on an individual's perspective, the case of Liberia could be considered a success or failure. Different agencies measure success against different objectives. Academics do not even agree on definitions for disarmament, demobilization, or reintegration.<sup>139</sup> As one intrastate conflict scholar explained, "Despite years of practice in implementing DDR in a number of contexts, there remains little knowledge about whether it works, why it works, and its impacts on achieving broader-peace building goals."<sup>140</sup>

Arms management remains an evolving practice. Most current literature on DDR and SSR acknowledges the importance of pursuing a country-specific approach and focuses on a "lessons learned" for future operations.<sup>141</sup> In places like Afghanistan, new strategies are continually adapted to changing circumstances. Because of this evolving nature and no set standard of measurement, it is difficult to clearly define variables that lead to success or failure. Yet it is widely acknowledged that both processes must happen in order to restore the state monopoly of legitimate violence.<sup>142</sup> In surveying recent

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<sup>137</sup> Bryden and Scherrer, "Concepts and Policies," 7.

<sup>138</sup> USIP, "Link Between DDR and SSR," 2.

<sup>139</sup> Muggah, "Emerging Shadows," 198.

<sup>140</sup> Jennifer M. Hazen, "Understanding 'Reintegration' within Postconflict Peace-building: Making the Case for 'Reinsertion' First and Better Linkages Thereafter," in *Monopoly of Force: The Nexus of DDR and SSR*, ed. Melanne A. Civic, et al. (Washington, DC: National Defense University, 2010), 109.

<sup>141</sup> Ibid., 113.

<sup>142</sup> USIP, *Stabilization and Reconstruction*, 6.46–47.

literature in the DDR-SSR realm, two traits repeatedly stand out as recommendations for maximizing the efficiency of these programs. These include the importance of agreeing on the structure of an arms plan in the initial peace settlement and linking DDR and SSR planning together.

Disarmament and reforming the security sector are critical piece of the security puzzle. Both processes are steps to a returning a war-torn country to a point of “normalcy” where the state controls the use of violence. There is no shortcut around this, and leaders of armed groups must be on board with an agreed upon plan. The leaders of Libya’s National Transitional Council (NTC) created a security plan in Libya 2011 on their own terms, with costly results. Initial security was officially outsourced to local militias while the NTC developed a security plan that incorporated most of the pre-existing security forces into new police and military forces while limiting the militia to 25 percent of the new force.<sup>143</sup> Many of the militia perceived the high number of retained Qaddafi forces as a continuation of the old order, and refused to disarm or give up control of their lucrative security holdings (including ports, airports, and border terminals).<sup>144</sup> The same militias who brought down Qaddafi’s regime are now crippling the security environment and hindering the country from moving forward.

Any DDR-SSR process is political and likely to be contentious on all sides. During peace negotiations, leaders with an interest in the outcome of peace are already debating, compromising, and setting the groundwork for their future country. This is the opportune entry point to agree on basic DDR and SSR principles.<sup>145</sup> By including a plan to manage arms in the peace agreement, stakeholders are given an opportunity to address their interests and concerns and take joint ownership of security reform. If not included in the peace treaty, there is an increased chance of third party actor (such as the United

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143 Nicolas Pelham, “Libya in the Shadow of Iraq: The ‘Old Guard’ Versus the Thuwwar in the Battle for Stability,” *International Peacekeeping* 19, no. 4 (2012): 540.

144 Ibid., 540–541.

145 Alan Bryden and Vincenza Scherrer, “The DDR-SSR Nexus: Turning Practical Experience into Good Practice,” in *Disarmament, Demobilization and Reintegration And Security Sector Reform*, ed. Alan Bryden et al. (Zurich: Lit Verlag, 2012), 184.

Nations, World Bank, donor governments, or NGOs) instituting a program for the country that is insensitive to the causes of insecurity and conflict between parties.<sup>146</sup>

The lack of a comprehensive peace agreement proved to be one of the problems in Afghanistan where power brokers did not sign an agreement that included DDR-SSR.<sup>147</sup> This left the international community to attempt to manage the security and arms control of Afghanistan without a local perspective. The absence of an agreement by warring leaders to disarm and reintegrate also meant there was little leverage to enforce compliance or hold anyone accountable. As a result, disarmament largely took an assorted role of commanders negotiating different spot contracts with various commanders to disarm their militias independently.<sup>148</sup> The DDR-SRR challenge in Afghanistan remains ongoing and has been well documented.<sup>149</sup>

In the case of Burundi's 2000 Arusha peace negotiations, both programs were an integral part of the peace planning. Because the military was historically used as a way for the Tutsi elite to dominate the Hutu majority, defense reform was a priority for the Hutu groups during the outset of the negotiations.<sup>150</sup> Initially, rebel groups demanded the Tutsie-led *Forces Armees Burundaises* be completely disbanded and a new national military created. The government wanted the rebel groups to disperse and disarm. As a compromise, both sides agreed to integrate rebel groups into the current security apparatus without requiring disarmament first.<sup>151</sup> The sides then agreed on a mechanism restructure security through joint committees and commissions empowered with specific mandates such as an Implementation Monitoring Committee, Joint

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<sup>146</sup> Ibid.

<sup>147</sup> Mark Sedra, "Afghanistan," in *Disarmament, Demobilization and Reintegration and Security Sector Reform*, ed. Alan Bryden et al. (Zurich: Lit Verlag, 2012), 51.

<sup>148</sup> Ibid.

<sup>149</sup> Caroline A. Hartzell, "Missed Opportunities: The Impact of DDR on SSR in Afghanistan," USIP Special Report 270, April 2011.

<sup>150</sup> Bryden and Scherrer, "Practical Experience," 183.

<sup>151</sup> Serge Rumin, "Burundi," in *Disarmament, Demobilization and Reintegration and Security Sector Reform*, ed. Alan Bryden et al. (Zurich: Lit Verlag, 2012), 76.

Ceasefire Commission, and National Commission on Demobilization, Reinsertion, and Reintegration.<sup>152</sup> In 2009, a second process began after the final armed group still at war agreed to peace.<sup>153</sup>

DDR and SSR share the same objective of “consolidating the state’s monopoly of force so that it may enforce the rule of law.”<sup>154</sup> Neither can succeed without the other. The two are also linked operationally, as many ex-combatants will work in the new security forces that come from SSR.<sup>155</sup> Despite these similarities, many agencies and scholars treated the two as separate functions in the past. The UN’s Inter-Agency Working Group on DDR and the Inter-Agency SSR Task Force both comprise twenty-one entities yet overlap on only ten, with different people from the same agencies sometimes assigned to each group.<sup>156</sup> This is due in large part to the differences in metrics. An agency can measure DDR by the numbers of combatants demobilized and disarmed, how many and what types of weapons collected, or how many ex-combatants are receiving reintegration funding.<sup>157</sup> This can be achieved faster and is more tangible to measure than to what degree the state security structures are being reformed to provide “an effective and legitimate public service that is transparent, accountable to civilian authority, and responsive to the needs of the public.”<sup>158</sup>

The nature of DDR and SSR programs involve different actors with different activities and short-term objectives.<sup>159</sup> These differences often lead policy makers to treat the processes separately. Independent approaches often yield the unintended consequences of separate, disjointed plans, diverse methods of evaluation, and different

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152 Ibid., 75.

153 Ibid., 78

154 USIP, “Link Between DDR and SSR,” 12.

155 Ibid., 7.

156 Bryden and Scherrer, “Concepts and Policies,” 15.

157 USIP, “Link Between DDR and SSR,” 12.

158 Civic and Miklaucic, *Monopoly of Force*, XXI.

159 Alan Bryden, “The DDR-SSR Nexus,” in *Monopoly of Force: The Nexus of DDR and SSR*, ed. Melanne A. Civic, et al. (Washington, DC: National Defense University, 2010), 234.

sources/levels of funding support.<sup>160</sup> All of these represent potential stumbling blocks for each program. As discussed, neither DDR nor SSR can succeed without the other. To thus maximize the chance for each program to achieve success, numerous academics advise conceiving and implementing the two as one process in an integrate approach.<sup>161</sup>

By integrating the approach, a mutual plan between the various actors creates a shared vision of the security sector. This offers the basic starting point for DDR decisions, shapes the long-term goal for SSR, and ensures all actors are working within a framework of a shared plan.<sup>162</sup> This concept is relatively new in the academic world and repeatedly emphasized by scholars from a lessons-learned perspective. But the same scholars stop short of designing different constructs and instead conclude that each integrated approach to DDR-SSR will vary based on the political concerns and agendas of elites and ex-combatants of a particular country.<sup>163</sup> There remains much room for the academia community to continue to developing this concept further. None the less, the fact that linking DDR-SSR programs together as part of broader development strategy is recognized by current experts in the field, still offers a critical planning point for developing a successful arms management plan.<sup>164</sup>

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160 USIP, “Link Between DDR and SSR,” 12.

161 SEE Andy Knight, “Linking DDR and SSR in Post Conflict Peace-Building in Africa: An Overview,” *African Journal of Political Science and International Relations* 4:1 (2010): 29–54; Bryden and Scherrer, *Disarmament, Demobilization, and Reintegration and Security Reform*; Civic and Miklaucic, *Monopoly of Force: The Nexus of DDR and SSR*; USIP, “Link Between DDR and SSR,” 1–15.

162 Bryden, “DDR-SSR Nexus,” 234–235.

163 USIP, “Link Between DDR and SSR,” 9.

164 Hazen, “Understanding Reintegration,” 124.

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## IV. DEMOCRATIC TRANSITION

Democracy is the most common form of government in the world today.<sup>165</sup> Regime changes continue to be associated with democratic transition, as evidenced by recent attempts at regime change in Afghanistan, Iraq, Libya, Tunisia, and Egypt. These states also highlight the fact that changing a government is a complex process that can negatively impact society. When society is split among ethnic lines, the dangers are multiplied. A study of ethnic conflicts between 1990–1998 revealed that the majority occurred in states that were moving democratization with violence tending to erupt a year after an improvement in civil or political liberties.<sup>166</sup>

A popular theory for the democratization increasing risk of conflict is tied to elite manipulation on nationalism. Often nationalism is weak or non-existent in states under authoritarian rule and elites pursuing democratic power can create or manipulate an ethnic national identity that appeals to their group while appearing divisive to others.<sup>167</sup> In recognizing that democracy is both the form of government most likely to be pursued by a state emerging from authoritarianism today and that the process brings an increased risk of national conflict, the challenge for a democratizing state is to adapt a system where elites cannot use democracy as an instrument for ethnic division.

Scholars agree that democratic transitions should proceed carefully in divided societies, but differ on what form of democracy is best. Democracies come in all different shapes and sizes. There are many ways to examine political engineering including by constitutional design or electoral process. This chapter examines democracies through how political power is structured. Political power is the weapon through which elites can strengthen or divide the citizenry. There is no conclusive way to prove that a certain structure would best limit ethnic conflict in a state. Some may be better suited for

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165 Freedom House, “Freedom in the World 2012: The Arab Uprisings and Their Global Repercussions.” Accessed February 14, 2012. <http://www.freedomhouse.org/article/freedom-world-2012-arab-uprisings-and-their-global-repercussions>.

166 Jack Snyder, *From Voting to Violence Democratization and Nationalist Conflict*, (New York: W.W. Norton & Company, 2000), 28.

167 Ibid., 32.

different environments. Instead, mechanisms for power consolidation, sharing, and division are examined along with supporting evidence and their critiques.

## **A. POWER CONSOLIDATION**

Consolidating political power is a strategy that seeks to concentrate power with the majority elect. This is commonly referred to as majority or popular rule.<sup>168</sup> Under this system, people are free to make their interests known, engage in politics, and ultimately elect winner-take-all representatives to govern according to the consent of the majority. Proponents of this view believe that this system is the best way to “maximize the possibility for individual self-determination.”<sup>169</sup>

Under a winner-take-all majority rule, power is consolidated more quickly as leaders enforce political decisions without having to debate with or face veto concerns from other parties sharing power. This allows the state to respond to challenges more efficiently by enacting policies much more quickly. In theory, this includes the threat of a growing ethnic divide. Additionally, Timothy Meisburger argues that a majority system reduces the risk of extremism rising in new democracies because minority groups are not guaranteed to gain access to political power. Instead, parties must appeal to the masses and win the median voters, as opposed to a small extremist or patronage network.<sup>170</sup>

Critics of majoritarian democracy often cite the potential dangers of a “tyranny of the majority.” While the government is able to consolidate power more quickly, it can also ignore minority demands or pressure the group to fall in line with the majority.<sup>171</sup> Often the restraints on majority power lay in a legal or constitutional apparatus that can

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168 Arend Lijphart, *Thinking About Democracy* (New York: Routledge, 2008), 112–114.

169 Dragan M. Stanisevski and Hugh T. Miller, “The Role of Government in Managing Intercultural Relations: Multicultural Discourse and the Politics of Culture Recognition in Macedonia,” *Administration & Society* 41:5 (2009): 553.

170 Timothy M. Meisburger, “Getting Majoritarianism Right,” *Journal of Democracy* 23, no.1 (2012): 156–159.

171 Stanisevski and Miller, “Role of Government,” 553.

be overturned or amended with a majority approval.<sup>172</sup> This leaves the minority with little protection from the consolidated government or a strong cause to participate if their group is guaranteed to be shut out.

An example of this danger is highlighted with Macedonia after the breakup of Yugoslavia. Macedonia developed a majoritarian democracy in a state divided by the majority Macedonians and minority ethnic Albanians.<sup>173</sup> The Albanians participated in politics but were constantly outvoted by the majority Macedonians on issues that mattered to the Albanian people such as having a bilingual state.<sup>174</sup> This left many Albanians feeling marginalized by the political system. Despite having individual rights protected by a constitution, many felt their cultural rights were not. When the Macedonian Assembly denied a proposal for Albanians to place their ethnic Albanian flag alongside the Macedonian flag on holidays, thousands of Albanians began rioting, two protesters were killed, and an armed insurgency ensued in 2001.<sup>175</sup>

## **B. POWER SHARING**

Power sharing models were devised as an alternative to the winner-take-all majoritarian systems. Under this system, power sharing is institutionalized through rules that guarantee inclusive decision making.<sup>176</sup> With regard to divided societies, the most prevalent model of power sharing is consociationalism and the integrative approach. Proponents of these models argue that majoritarian democracies might work under conditions in a homogeneous population, but not when societies have “a legacy of bitter and bloody civil wars, factional strife, or inter-community violence, and in transitional

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172 Lijphart, *Thinking Democracy*, 113.

173 Stanisevski and Miller, “Role of Government,” 557–558.

174 Ibid.

175 Ibid.

176 Donald Rothchild and Phillip G. Roeder, “Power Sharing as an Impediment to Peace and Democracy,” in *Sustainable Peace: Power and Democracy After Civil Wars*, eds. Philip Roeder and Donald Rothchild (Ithaca: Cornell University Press, 2005), 30.

post-authoritarian states.<sup>177</sup> In such divided societies, arrangements must be made to secure the role of minorities in government in order to avoid disenfranchisement and ethnic conflict.<sup>178</sup>

The integrative approach to power sharing was conceived by Michael Horowitz in 1985. Under his approach an electoral system would be structured to encourage moderate elites to rule with the interests of minority. Voters would vote on their second and third preferences and winning an election would require a majority of first and second votes in a number of regions, forcing candidates to appeal to minority groups and form coalitions that they could otherwise afford to ignore.<sup>179</sup> Horowitz's ideas are largely theoretical as Fiji offered the only country to utilize alternative voting with power sharing. While this approach is often mentioned in power sharing literature, it appears to have little academic support.<sup>180</sup>

Consociational democracy is the most common method of power-sharing, first championed by Arend Lijphart in 1969. Since then Lijphart has continued to author literature advocating for a consociational democracy that includes: elites sharing executive power in a grand coalition, granting autonomy to ethnic groups to govern their own internal affairs, having a minority veto on significant issues, and having a proportionality representation in parliament.<sup>181</sup> Of these, the grand coalition and cultural autonomy are most important.<sup>182</sup> Lijphart cites his evidence with a study of 36 different countries that revealed statistically significant evidence that consociational democracies that share power had less violence than majoritarian democracies.<sup>183</sup>

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177 Pippa Norris, "Stable Democracy and Good Governance in Divided Societies: Do Power-Sharing Institutions Work," Harvard University paper for presentation at International Studies Association 46th annual convention, Honolulu (March 5, 2005), 5.

178 Ibid.

179 Rothchild and Roeder, "Power Sharing Impediment," 32–33.

180 Lijphart, *Thinking Democracy*, 77.

181 Arend Lijphart, "The Power Sharing Approach," in *Conflict and Peacemaking in Multiethnic Societies* ed. Joseph Montville, (Lexington, Mass: Lexington Books, 1990) 491–510.

182 Ibid.

183 Arend Lijphart, *Patterns of Democracy 2nd Edition*, (New Haven: Yale University Press, 2012), 272.

Critics of consociationalism are quick to point that Lijphart's ideas are relevant to European systems. Not only is most of his original data drawn for European countries, but countries in Lijphart's models all have a history of democratic experience.<sup>184</sup> By institutionalizing power sharing in an ethnically divided society, the divisive ethnic identities are reified as parties are shaped along ethnic or religious lines.<sup>185</sup> This often means elites in power treat all issues as ethnic issues and are more likely to pursue policies that unify their ethnic group and resist any that could divide.<sup>186</sup>

While recognizing that there are many variations of the power sharing models, the empirical record of ethnic power sharing as a whole remains questionable. Czechoslovakia's power sharing resulted in partition. Cyprus and Lebanon underwent civil wars and remain strongly divided today. Widespread ethnic conflict in Malaysia ended its consociational government. Fiji had a military coup. South Africa transitioned to majoritarianism.<sup>187</sup> A detailed statistical study of 103 regimes between 1972–2003 offered little support for power sharing as proportional representation was associated with higher levels of political violence, federalism was inconclusive, and combining consociationalist institutions was also associated with higher levels of violence.<sup>188</sup> New power-sharing governments such as those in Bosnia-Herzegovina, Northern Ireland, Afghanistan, or Iraq appear largely paralyzed to make major policies across ethnic lines.

### C. POWER DIVIDING

Power dividing is a strategy designed specifically as an alternative to power sharing. This approach argues for dividing power among multiple majorities to make

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184 Benjamin Reilly, "Does the Choice of Electoral System Promote Democracy? The Gap Between Theory and Practice," in *Sustainable Peace: Power and Democracy After Civil Wars*, eds. Philip Roeder and Donald Rothchild (Ithaca: Cornell University Press, 2005), 163.

185 Snyder, *Voting to Violence*, 33.

186 Philip Roeder, "Power Dividing as an Alternative to Ethnic Power Sharing," in *Sustainable Peace: Power and Democracy After Civil Wars*, eds. Philip Roeder and Donald Rothchild (Ithaca: Cornell University Press, 2005), 56.

187 *Ibid.*, 60.

188 Joel Selway and Kharis Templeman, "The Myth of Consociationalism? Conflict Reduction in Divided Societies," *Comparative Political Studies* 45 (2012). Accessed January 2, 2013. Doi: 10.1177/0010414011425341.

decisions. Proponents of this approach claim that instead of locking in ethnic differences with institutional guarantees or minority veto power, power dividing deemphasizes ethnicity and promotes what Philip Roeder and Donald Rothchild call a “nation state stewardship.”<sup>189</sup> This is achieved through dispersing different power throughout alternative subgroups with shared interests that cross-cut majorities and minorities. For instance, one group is responsible for deciding education budgets another is responsible for setting interest rates, another on determining water allocation from a river basin, etc. Additionally, checks and balances prevent any majority group from dominating another group. This reduces the change that winners and losers correlate around ethnicity.<sup>190</sup> Instead, members of ethnic groups recognized their shared interests in defending the institutional order and any attempt to exclude an ethnic minority is likely to bring support from elements of the ethnic majority.<sup>191</sup>

As evidence to support power sharing, Roeder cites strong statistical evidence examining ethno-national crises and armed conflict from 153 states and 658 ethnic groups over 5-year periods from 1955–1999.<sup>192</sup> He concluded that “power dividing is less likely than power sharing to see the stakes in normal ethno-political conflict escalate to ethno-national crises, and it is less likely to see escalation to more extreme means.”<sup>193</sup> Equally interesting, Roeder and Lijphart both cite several of the same empirical examples as evidence to support their own models. For example, to Lijphart India “is almost perfect example of consociational democracy, exhibiting all four of its characteristics in clear and thorough fashion.”<sup>194</sup> Roeder also claims India as an example of power dividing and that “India’s ethnic stability... appears to be a result of avoiding the concentration of institutional weapons in the hands of ethnic leaders.”<sup>195</sup>

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189 Donald Rothchild and Phillip G. Roeder, “Dilemmas of State-Building in Divided Societies,” in *Sustainable Peace: Power and Democracy After Civil Wars*, eds. Philip Roeder and Donald Rothchild (Ithaca: Cornell University Press, 2005), 15–19.

190 Roeder, “Power Dividing,” 61–63.

191 Ibid., 64.

192 Ibid., 68–80.

193 Ibid., 76.

194 Lijphart, *Thinking Democracy*, 5.

195 Roeder, “Power Dividing,” 67.

Aside from the debates of case selection, several other criticisms exist. To begin with, power dividing requires a developed civil society with elites existent in a range of fields and in multiple ethnic groups. If a state is war torn with a weak civil society, how effective can a multiple majorities group be in effecting policy? Crafting such a system is also an advanced legal undertaking with careful checks and balances between groups to prevent a majority group from dominating others. If the current justice system is corrupt or dysfunctional, it must first be addressed somehow before this system will work. Roeder and Rothchild even recognize that power-dividing is a long term solution and that initial power sharing may be more beneficial for ethnic groups to agree on a peace settlement or “for one-time, pump-priming decisions, such as the initial staffing of new bureaucracies.”<sup>196</sup>

Ethnic partition is another option that many be considered a physical division of power into separate states. Most scholars consider partition as a last resort to end ethnic violence when no other solution is possible. Chaim Kauffman concludes that there can then only be three ends to an ethnic war: complete victory by one side, temporary suppression, or by physical separation of the groups that reduces incentives and opportunity for further hostility.<sup>197</sup> Kauffman further argues that ethnic identities are hardened over time to a point where cross-ethnic political cooperation is nearly impossible. Particularly when violence has reached such a high level that ethnic groups identify an entire other ethnic group as an enemy, and perpetuate rumors and stories to fuel that belief. At this point, partition may be the best option.<sup>198</sup> Kauffman cites both empirical evidence of unchanged public feelings such as the Kurds in Turkey, Tamils in Sri Lanka, or Serbs in Bosnia, and a statistical argument from a data set of 27 ethnic civil wars between 1944–1994 that resulted in only eight ending by an agreement that did not include partition.<sup>199</sup>

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196 Donald Rothchild and Phillip G. Roeder, “Conclusion: Nation-State Stewardship and the Alternatives to Power Sharing,” in *Sustainable Peace: Power and Democracy After Civil Wars*, eds. Philip Roeder and Donald Rothchild (Ithaca: Cornell University Press, 2005), 320.

197 Chaim Kaufman, “Possible and Impossible Solutions to Ethnic Civil Wars,” *International Security* 20, no. 4 (1996), 137.

198 Ibid., 137, 141–144.

199 Ibid., 140–143, 159.

Critics of partition also cite their own evidence as to the ineffectiveness of keeping peace after partition. A study by Nicholas Sambanis and Jonah Schulhofer-Wohl found no significant correlation supporting partition as successful to limiting war recurrence. Even after adding different controls and removing potentially ambiguous data cases, the results did not change.<sup>200</sup> They discovered “the main predictors of a return to war are local capacities: higher per capita income and income growth reduce the risk of another war, whereas dependence on primary commodities increases it.”<sup>201</sup> The authors then theorize that partition may increase the chance for violence by adding territorial disputes, creating new ethnic divides, or weakening economic position of the rump state, but may also succeed under a particular set of circumstances.<sup>202</sup> Jack Snyder points to partitioning’s limited historical effectiveness (including the increased ethnic violence after partitioning in India and Pakistan) while advising that partitioning is not a preferred strategy but it should be fully excluded.<sup>203</sup> Philip Roeder and Donald Rothchild also agree that partitioning is not a preferred solution to end civil wars in an ethnically divided society unless the two sides cannot agree to even co-exist with one another and it is therefore impossible for ethnic groups to live together in a democracy.<sup>204</sup>

#### **D. TAKEAWAYS**

Building a democracy in a divided post-conflict society is a monumental challenge. Despite dozens of case studies and volumes of literature, there is no agreed on method. As the power consolidating majoritarian systems of Europe struggled to take hold in former colonial states, power-sharing approaches were developed. As these models continue to struggle, new theories in power dividing are being written in response.

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200 Nicholas Sambanis and Jonah Schulhofer-Wohl, “What’s in a Line? Is Partition a Solution to Civil War?” *International Security* 34, no. 2 (2009), 102–110.

201 Ibid., 107.

202 Ibid., 118.

203 Snyder, *Voting to Violence*, 325–327.

204 Rothchild and Roeder, “Dilemmas of State-Building,” 10–12.



Each approach has its merits and drawbacks. Consolidation allows for a more government efficiency with faster decision-making ability, yet risks marginalizing the minority. Power sharing limits the threat of “tyranny of the majority” and gives minority assurances, but also reifies ethnicities and threatens to immobilize a government. Power dividing limits ethnic differences and promotes civil society driving the decision making process but is an advanced system requiring careful legal design and difficult to reach immediately in a post-conflict environment. Partition may or may not be a favorable solution to ending ethnic wars.

In arguing for a particular approach, many academics offer data sets and empirical case studies. Many of these data sets counter each other and case studies often overlap depending on an individual’s interpretation and classification. Clearly, no scholar has proven a superior model. The individual context of a divided state, including as the nature the minority and degree of violence, may be better indicators of which models are applicable at a given time.

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## V. FINDING RECONCILIATION

Post-conflict reconciliation is a grey subject matter. In surveying post-conflict literature, reconciliation is often a neglected subject, especially compared to the vast literature on security or democratic engineering. One likely explanation is the difficulty in measuring reconciliation. How does one quantify such an emotional and subjective idea? Reconciliation is too intangible to construct an index measurement table and perform scientific studies on. Social attitude surveys are perhaps the closest methodology to assessing the progress of reconciliation. Yet only one country (South Africa) maintains a dedicated social survey process to measure the reconciliation process.<sup>205</sup> Even the nature of reconciliation is uncertain, as some believe it to be the process of reaching the conclusion and others the end-state in itself where relationships of trust exist.<sup>206</sup> For the sake of discussion, this chapter uses the broad definition of reconciliation to be “the act of building or rebuilding relationships today that are not haunted by the conflicts and hatreds of yesterday.”<sup>207</sup> Despite these challenges in definition and measurement, many recognize the reconciliation, however interpreted, plays a significant role rebuilding a post-conflict society.<sup>208</sup>

Wars are nasty by nature. When the war is a civil war with a long history of state-sponsored atrocities, it is brutal on all of society that leaves the country traumatized.<sup>209</sup> A peace agreement may end major hostilities and promise a redress for the root cause of the conflict, but it will not erase the memories or feelings of victims that suffered as a result of repression and abuse. People do not forget atrocities committed against family, friends, and neighbors—nor do they forget that people somewhere caused these injustices. When a conflict is divided on ethnic lines, widespread hatred and distrust

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<sup>205</sup> The Institute for Justice and Reconciliation (ICJR), “Reconciliation Barometer Project,” accessed January 26, 2013. <http://www.ijr.org.za/political-analysis-SARB.php>.

<sup>206</sup> Joanna Quinn, introduction to *Reconciliation(s) Transitional Justice in Post Conflict Societies* ed. Joanna Quinn (Montreal: McGill-Queen’s Press, 2009), 4.

<sup>207</sup> Ibid., 4.

<sup>208</sup> Ho-Won Jeong, *Peacebuilding in Postconflict Societies* (Boulder: Lynne Rienner Publishers, 2005), 155.

<sup>209</sup> Ibid.

between groups can sharpen pre-existing divides and keep the threat of an ethnic war on the horizon. A state that emerges from conflict in such a position is faced with the decision to pursue a reconciliation approach that seeks to limit these divides, or to go forward in peace and let the past rest. This is not cut and clear choice.

Choosing to pursue policies of reconciliation is a risk-reward calculus. To reconcile with victims is a “costly repentance” process that requires truthful acknowledgement of wrongdoings and giving justice in the form of some degree of accountability.<sup>210</sup> These very acts however, may threaten the peace and stability and of the state. Recounting horrific experiences and bringing truth into the open is likely to resurface feelings of pain and anger in victims, setting high expectations for accountability. If these expectations are unmet, desire for state justice may turn into demand for personal retribution. Also, the former leaders and combatants who face justice may instead return to violence as an alternative to prosecution.<sup>211</sup> On the other side of the coin, a successful reconciliation process may help to “ease the burning memory of torture suffered or massacres witnessed... [for] society as a whole... to move on, to recreate a livable space of national peace, build some form of reconciliation between enemies, and secure these events in the past.”<sup>212</sup>

#### **A. WHY RECONCILIATION?**

There is no formula for when a reconciliation process should or should not be risked. The United Nations Office of the High Commission for Human Rights (OHCHR) acknowledges that this process is not meant for every country, and then offers a loose criterion for when a country is “ripe.”<sup>213</sup> This occurs when a state has the political will to support a serious inquiry, the conflict has ended, and there is an interest for victims and

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210 Nicholas Fraying, “the Healing of History: an Exploration of the Relationship Between Pardon and Peace,” in *Reconciliation(s) Transitional Justice in Postconflict Societies* ed. Joanna Quinn (Montreal: McGill-Queen’s Press, 2009), 30–34.

211 Severine Autessere, “Peacetime Violence,” Program on States and Security. Accessed 26 January, 2013. [http://www.statesandsecurity.org/\\_pdfs/Autesserre.pdf](http://www.statesandsecurity.org/_pdfs/Autesserre.pdf).

212 Priscilla B. Hayner, *Unspeakable Truths* (New York: Routledge, 2011), 3–4.

213 Office of the United Nations High Commissioner for Human Rights (OHCHR), *Rule-of-Law Tools for Post-Conflict States* (New York: United Nations Publications, 2009), 4–5.

witnesses to partake in an investigation.<sup>214</sup> Each state is ultimately responsible to make its own calculated decision as to whether or not reconciliation measures will aid or hinder peace. Perhaps the persecution was not severe enough to solidify widespread resentment or maybe the state emerged victorious over a small opposition group that can easily be crushed if they resort to vengeful actions. One may logically deduct that the importance of conducting post-conflict reconciliation process is associated with the degree of human rights violations committed.

Reconciliation is a long-range effort. No policy will change years of bitterness and hate or ethnic divides overnight. What reconciliation can offer is a mechanism that limits the divides from growing. Allowing victims to tell their stories, having an official acknowledgement of past atrocities and offering justice is the start of repairing relationships between groups in society.<sup>215</sup> South Africa began a reconciliation process nearly two decades ago. And while the country made a peaceful transition to democracy and no longer has widespread atrocities, racial barriers between blacks and white remain.<sup>216</sup> This begs the question of why a state should invest time and resources in such an endeavor that may not yield tangible results for years.

The strongest argument for the importance of pursuing post-conflict reconciliation is with the empirical evidence of divided states that buried their past and moved on. South Africa may still have racial divides, but the country is not unstable, does not require UN peacekeepers to monitor groups, and is not volatile to an ethnic war breaking out. Bosnia and Lebanon cannot make the same claims, as each country ignored reconciliation after their civil wars between ethnic groups.

As a neighbor of Syria and comprised of many of the same ethnic groups, Lebanon offers perhaps the most valuable example of the cost of ignoring reconciliation. After a 15-year civil war in Lebanon, the state chose to ignore justice and reconciliation entirely and pursue peace through power sharing arrangements. An amnesty law

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<sup>214</sup> Ibid.

<sup>215</sup> Jeong, *Peacebuilding*, 155.

<sup>216</sup> Hayner, *Unspeakable*, 31–32.

pardoned all political crimes prior to the war, creating a widespread sense of injustice.<sup>217</sup> Also, because the state never performed an investigation into the causes and crimes during the war, there is no “official” truth or even a common curriculum to teach students. Different versions of the civil war perpetuate among the different religious groups deepening the sectarian tensions.<sup>218</sup> It is worth noting that there are civil society groups and NGOs in Lebanon that are trying to counter this through measures such as arranging exchange trips between Christian and Muslim students.<sup>219</sup> These efforts are small in the overall wounds of Lebanon society however. Strong levels of distrust and intolerance between religious groups perpetuates instability and creates a continuous “keg of gunpowder” situation where a renewed civil war is never far off.<sup>220</sup> No one can say for certain that a reconciliation process would alleviate these problems, but it is difficult to envision the process doing worse for Lebanon.

In absence of any reconciliation measuring system or tangible data, the reconciliation process will always be a grey subject. It is important to recognize however that the process *is* important in divided post-conflict societies. No country wants to be a Bosnia or Lebanon. States have historically pursued reconciliation through a variety of approaches centered on truth and justice. Because of the previously discussed problems with measurement, the best methods of examining reconciliation strategies is to survey these approaches for insights and future lessons learned. This may be an unscientific approach, but such is the business of reconciliation.

## **B. CASE STUDIES**

The following case studies are examined where each country had a government-initiated attempt at reconciliation after a period civil war. These specific countries were chosen to examine a range of different reconciliation approaches in different regions. The

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217 Thilo Schone, “Never Too Late: Reparative Justice in (Post-)Conflict Societies,” FES Berlin 2012, 1–3.

218 Ibid.

219 Samar El-Masri, “Interethnic Reconciliation in Lebanon,” in *Reconciliation(s) Transitional Justice in Postconflict Societies* ed. Joanna Quinn (Montreal: McGill-Queen’s Press, 2009), 272.

220 Ibid., 272–281.

attempt is not to “cherry pick” case studies to support any theory or to claim any universal model in achieving reconciliation. Indeed the author does not even claim that any of these reconciliation measures were successful or not. It is obvious however, that some measures have achieved more positive and negative results than others. The goal then is to examine a range of reconciliation efforts and search for overlapping indicators of success or failure.

## **1. Peru**

Peru is a state with a long post-colonial history of authoritarian rule. In 1980, the ruling military dictatorship was challenged by the Maoist insurgency group known as the Shining Path. Two years later, the Tupac Amaru Revolutionary Movement also challenged the government.<sup>221</sup> Over the course of the next two decades the Peruvian government and these rebel groups fought a bitter war that witnessed mass disappearances, murders, tortures, and an assortment of human rights abuses on both sides. In November of 2000, a new government came to power and actively supported a truth commission to discover the truth.<sup>222</sup>

Twelve members were appointed by the government with a mandate to “investigate human rights abuses and violations of humanitarian law attributable to the state or to ‘terrorist organizations’.”<sup>223</sup> The commission was given a budget of \$13 million for two years that was used to hire a 500 person staff and travel throughout the countryside holding public statements. The group also worked closely with the International Committee of the Red Cross, the Human Rights Ombudsman’s Office, and the Human Rights Coordinating Committee of NGO’s to locate missing family members and assist in exhumation efforts.<sup>224</sup> In total, 17,000 statements were taken, and the

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221 United States Institute of Peace (USIP), “Truth Commission: Peru,” July 2001. Accessed January 2, 2013. <http://www.usip.org/publications/truth-commission-peru-01>.

222 Hayner, *Unspeakable*, 35–37.

223 Ibid. 36.

224 Ibid., 36–37.

commission determined that 69,280 people were killed or disappeared—a number 35,000 more than the previous estimate. Four thousand six hundred secret graves were also discovered.<sup>225</sup>

The commission's final report was considered controversial by many former military and political leaders. Several members of the committee continued to receive death threats for years.<sup>226</sup> The government has slowly enacted many of the truth commissions' recommendations including the creation of a National Registry for Displaced People and legislation of a reparations policy. In 2004, a special human rights court was established that has tried death squads and key individuals such as a former president and national security chief.<sup>227</sup> Prosecutions continue at a slow, showing a cautious sign of progress. The past two presidents of Peru however do raise questions as one ruled during the government's brutal counterinsurgency in the 1980s and the other who was implicated in murder and torture.<sup>228</sup>

## **2. South Africa**

From 1948 to 1994, South Africa was an apartheid state where whites dominated all aspects of the states. The roots of racial segregation against black South Africans trace back to colonization with the Land Acts of 1913 and 1936 organizing marginal native "homelands" for blacks while permitting whites to control 87% of the country.<sup>229</sup> These areas were not democratic but ruled by traditional chiefs with increased powers, thus giving them an interest to preserve the system. Blacks that left their "homeland" to serve as cheap labor in white-controlled business and industries were afforded no political or economic opportunities.<sup>230</sup> Public services were segregated between whites and blacks. Any opposition to the apartheid system was met with a stern security force that killed

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<sup>225</sup> Ibid.

<sup>226</sup> Ibid., 38–39.

<sup>227</sup> Ibid.

<sup>228</sup> Ibid., 39.

<sup>229</sup> Eric Wiebelhaus-Brahm, *Truth Commissions and Transitional Societies* (New York: Routledge), 36.

<sup>230</sup> Ibid.



over 18,000, detained 80,000, and tortured 6,000 during the apartheid.<sup>231</sup> Demonstrations and protests grew more hostile, culminating in terrorism against the white population of South Africa in the mid-90s by anti-apartheid groups. When the first national democratic elections were held in 1994, a strong level of enmity between ethnic groups existed.<sup>232</sup>

One of the first actions for the newly elected South African government was to develop a truth and reconciliation committee. Much time and energy was devoted to the exploring a method, including members traveling to international conferences, soliciting inputs from civil society, and hundreds of hours of discussion in hearings.<sup>233</sup> Finally, in 1995, parliament passed the Promotion of National Unity and Reconciliation Act whereby a commission was charged with a mandate to investigate human rights violations that occurred from 1960 until the election. A diverse 17-person commission was selected through a process of public nominations, government-civil society screening, before finally being selected by President Mandela.<sup>234</sup> The commission received a budget of over \$18 million for the first two years and divided into three committees: the human rights violation, amnesty, reparations and rehabilitations committee. Finally, the commission was given the legal power to “grant individualized amnesty, search premises and seize evidence, subpoena witnesses, and run a sophisticated witness-protection program.”<sup>235</sup>

The commission collected over 21,000 personal testaments from witnesses and victims. Two thousand of these were handpicked to give their account in a public hearing. In an effort to maintain the perception of impartiality and legitimacy with white South Africans, non-black victims were purposely over represented in its public hearings.<sup>236</sup> This decision was one of several that led many to accuse the commission of valuing

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<sup>231</sup> Ibid.

<sup>232</sup> Ibid., 36–37.

<sup>233</sup> Hayner, *Unspeakable*, 27.

<sup>234</sup> Wiebelhaus-Brahm, *Truth Commissions*, 39.

<sup>235</sup> Hayner, *Unspeakable*, 27–28.

<sup>236</sup> Wiebelhaus-Brahm, *Truth Commissions*, 39.

reconciliation over truth. Other examples include the commission failing to issue subpoena or search orders against important organizations and leaders such as the South African Defense Headquarters, Minister of Home Affairs, or the Freedom party president.<sup>237</sup>

On the matter of finding justice, the commission adopted a “truth for amnesty” policy. This was a middle ground that met the African National Congress’ demand for accountability and the former National Party’s fear of retributive justice.<sup>238</sup> The criteria for amnesty were that an individual admit their crimes and demonstrate that they were politically motivated and not out of “personal malice, ill will, or spite.”<sup>239</sup> This position depended on individuals coming forward on their own accord to testify or risk being discovered, subpoenaed, and prosecuted without chance for amnesty. However, few subpoenas were sent and early key trials such as that of the former minister of defense ended in acquittal. This quickly set a weak tone for the threat of prosecution. While many senior leaders ignored the offer, ultimately 1,167 individuals did receive amnesty in return for providing detailed information that helped to fill five volumes of the overall apartheid truth.<sup>240</sup>

### **3. Liberia**

Liberia has historically been an unstable state. The indigenous peoples were oppressed for 130 years under a minority rule of ‘Americo-Liberians’—descendants of the repatriated settler slaves from North America in 1847.<sup>241</sup> In 1980, a military coup brought the first indigenous leader to power in the form of Samuel Doe, but state repression continued. In 1989, Charles Taylor led brutal civil war that resulted in two hundred thousand killed and over a million displaced.<sup>242</sup> Fourteen separate peace

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<sup>237</sup> Hayner, *Unspeakable*, 28.

<sup>238</sup> Wiebelhaus-Brahm, Truth Commissions, 39.

<sup>239</sup> Hayner, *Unspeakable*, 29.

<sup>240</sup> Hayner, *Unspeakable*, 29–30.

<sup>241</sup> Aaron Weah, “Hopes and Uncertainties: Liberia’s Journey to End Impunity,” *International Journal of Transitional Justice* (2012): 3. Accessed January 2, 2012. Doi: 10.1093/ijtj/ijj007.

<sup>242</sup> United States Institute of Peace (USIP), “Truth Commission: Liberia,” February 2006. Accessed 4 January, 2013. <http://www.usip.org/publications/truth-commission-liberia>.

accords were attempted from 1990–1996 before Charles Taylor was elected president in 1997. In 1999, a second civil war kicked off against Charles Taylor’s regime until 2003. As part of the comprehensive peace agreement, the government and two rebel groups agree to hold a truth and reconciliation commission “to provide a forum that will address issues of impunity, as well as an opportunity for both the victims and perpetrators of human rights violations to share their experiences.”<sup>243</sup>

Initially, 9 members were appointed by the transitional government without consultation with other concerned parties. This led to strong objections and a two-year process to agree on a selection panel to vet members.<sup>244</sup> After replacing 7 of the original 9 commissioners, the Truth and Reconciliation Act gave the commission the mandate to investigate human rights abuses from January 1979–October 2003.<sup>245</sup> The commission had the full power to subpoena and limited power to recommend amnesty.<sup>246</sup>

Liberia’s commission traveled throughout the country collecting statements from 20,560 Liberian victims. This included over 1,600 diaspora statements in the United States, Great Britain, and Ghana collected by the non-profit NGO Advocates for Human Rights. This marked the first time a truth commission partnered with an overseas group to aid in collecting statements.<sup>247</sup> The commission also worked with the California non-profit organization Benetech to construct a database to collect and corroborate victims’ stories. This helped craft a lengthy report accounting for 93,322 victims with 163,615 violations including 28,000 killings and 6,000 rapes.<sup>248</sup>

By most accounts, the Liberian truth commission did an admirable job in journeying the country, documenting history, and forming a national narrative.<sup>249</sup> Achieving justice proved to be controversial. Much to the public’s popularity, the

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<sup>243</sup> Hayner, *Unspeakable*, 66.

<sup>244</sup> *Ibid.*

<sup>245</sup> Weah, “Hopes and Uncertainties,” 3.

<sup>246</sup> Hayner, *Unspeakable*, 67.

<sup>247</sup> *Ibid.*

<sup>248</sup> *Ibid.*

<sup>249</sup> Weah, “Hopes and Uncertainties,” 7–8.

commission named over 150 individuals to be prosecuted and dozens of others that should to be banned from public office. Many of these individuals were already holding positions in all branches of the new government, including the current President Johnson Sirleaf.<sup>250</sup> Further complicating the commission's recommendations was an unclear process for their recommendations. For instance, 40 individuals recommended to be barred from office were not listed anywhere else in the report or given evidence for their crimes.<sup>251</sup> President Sirleaf admitted she gave Charles Taylor political support in the past and had cut ties when she realized Taylor's intentions. She was accused of not being honest enough and thus placed on the recommended banned list.<sup>252</sup> On the other side, General Joshua Blahyi (more famously known as General Butt Naked) admitted to killing thousands and was granted a full reprieve for his cooperation.<sup>253</sup>

The report of the group proved far too politically controversial for any meaningful accountability. Groups of warlords that were named on the report united together to publicly denounce the commission and threatened to return to arms. Any support of the commission could potentially destabilize the entire country, prompting the United Nations and the majority of the international community to take a neutral stance.<sup>254</sup> Foreign experts claimed the list of names was "utterly arbitrary" as the Liberian government enacted legislation to amend the "binding nature" of the truth commission's recommendations.<sup>255</sup> Today accused perpetrators of human rights crimes continued to be elected to Liberia's government and there remains an ongoing campaign to completely shelve the commission's report.<sup>256</sup>

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250 Hayner, *Unspeakable*, 68.

251 Weah, "Hopes and Uncertainties," 7–8.

252 Ibid., 10–11.

253 Ibid.

254 Hayner, *Unspeakable*, 68.

255 Ibid.

256 Weah, "Hopes and Uncertainties," 12.

#### 4. Rwanda

Rwanda is one of the most ethnically divided states in the world between its Hutu and Tutsi population. Academics debate the nature of ethnicity between these groups and make a strong argument that the groups are more of a class distinction.<sup>257</sup> Both groups share the same language, similar culture, live together, and intermarry. The majority of Tutsi were herdsman while Hutus tended to be farmers.<sup>258</sup> Under colonization by German and then Belgian authorities, the Tutsi were considered more intelligent and thus given preferential treatment and positions of power. In 1993–34, the Belgians performed a census and issued ethnic identification cards to each individual based on the amount of cattle owned.<sup>259</sup> These ID cards created separate national identities that entrenched ethnic divisions.<sup>260</sup>

This ethnic identification system was kept after independence and divisions continued to grow. New Hutu elites crafted the Rwanda state for their group, by excluding Tutsis from positions in government and the military while also enforcing a quota system that limited Tutsi access to state jobs or education.<sup>261</sup> The Tutsi people became the scape goat to any shock to the state. This included increased poverty that resulted after the international price of coffee dropping in 1985 or after the 1990 invasion of Rwanda from the Uganda-based Rwandese Patriotic Front (RPF).<sup>262</sup> In the early 1990s, the government came under increased international pressure to democratize and allow free elections. At the same time, the Hutu elites in power were faced with mass discontent over “widespread corruption, geographical exclusion, [and] disappointment with the slow pace of development.”<sup>263</sup> Ethnicity was the single issue that united the

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257 Peter Uvin, “Prejudice, Crisis, and Genocide in Rwanda,” *African Studies Review* 40:2 (1997), 92.

258 Thomas Hauschildt, “Gacaca Courts and Restorative Justice in Rwanda,” E-International Relations, July 15, 2012. Accessed 3 January 2013. <http://www.e-ir.info/2012/07/15/gacaca-courts-and-restorative-justice-in-rwanda/>.

259 Ibid.

260 Ibid.

261 Uvin, “Genocide in Rwanda,” 100.

262 Ibid., 100–106.

263 Ibid., 106–108.

majority Hutu people, and the government continued to utilize the ethnicity card. Newspapers, radio stations, and political rallies became a forum to vilify Tutsi, demand their deaths, and threaten people that supported them. From 1990–1993, thousands of Tutsi were imprisoned or killed by local mobs organized by authorities and politicians.<sup>264</sup> In April of 1994, the President of Rwanda’s plane was shot down, sparking off a full-scale genocide against the Tutsi. In 100 days, between 800,000–1,000,000 Tutsi and sympathetic Hutus were killed. Sexual violence was committed to at least 250,000 women with an estimated 70% of survivors infected with HIV.<sup>265</sup>

Faced with a devastated population, the new Rwandan government rejected various truth and reconciliation models. Instead, the government focused on delivering justice above all. Reconciliation would be possible with the victims and the innocent once the guilty were punished.<sup>266</sup> International donors funded over 100 justice-related projects that include a range of activities from building prisons and courthouses, establishing formal justice procedures, and training lawyers and judges. In 1996, the Rwandan National Assembly established a genocide law that created four categories of crime ranging from genocide (category I) to property offences (category IV).<sup>267</sup> The new justice system was overwhelmed by the sheer number of trials. Over 130,000 persons were arrested and imprisoned for crimes relating to the Apr-Jul genocide. At the rate of early trials, more people were dying in prisons each year than were receiving trials.<sup>268</sup>

In 2000, the Rwanda National Assembly passed legislation that paved the way for an innovative justice system known as the Gacaca Courts. Under the Gacaca system, prisoners accused of category I crimes would continue with the official state justice system. Everyone else would face a decentralized tribunal in the local community where

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<sup>264</sup> Ibid., 109–110.

<sup>265</sup> Hauschildt, “Gacaca Courts.”

<sup>266</sup> Peter Uvin, “The Gacaca Tribunals in Rwanda,” in *Reconciliation After Violent Conflict*, ed. David Bloomfield et al. (Stockholm: International Institute for Democracy and Electoral Assistance, 2003), 116.

<sup>267</sup> Ibid.

<sup>268</sup> Ibid.

the prisoner is accused to have committed a crime.<sup>269</sup> The community was then required to turn out to “discuss the alleged act or acts, provide testimony and counter-testimony, argument and counter-argument.”<sup>270</sup> Nineteen community members were then elected to be a jury while one of the 255,000 previously elected and trained Gacaca judges presided over the case. Prisoners were encouraged to confess their crimes and ask forgiveness from the community to receive a reduced sentence.<sup>271</sup>

The Gacaca courts closed in 2009. Since then, there has been much research, interviews, and studies performed to evaluate the effectiveness of the courts. Depending on the method of measurement, evaluations vary. With regard to reconciliation between Tutsi and Hutu, ethnic divisions appear to have deepened with a single-sided justice system.<sup>272</sup> Gacaca courts were limited to investigating only the crimes committed during the 100 day genocide period. Any crimes committed by the RPF forces (led by Rwanda’s current President) against Hutu civilians or reprisal attacks after the genocide were strictly prohibited.<sup>273</sup> This left a natural feeling of unfairness among the Hutu. Furthermore, anyone who criticized the Gacaca process was accused of having a “genocidal ideology.”<sup>274</sup> Even international human rights groups were forced to suspend operations for questioning the court process.<sup>275</sup> The number of accusations for crimes related to genocide rapidly grew to encompass over 1 million people—nearly half of the entire Hutu male population in 1994.<sup>276</sup> This implies a sense of collective blame on the entire Hutu group as opposed to individuals. The strong coercive role that the government

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<sup>269</sup> Ibid., 116–117.

<sup>270</sup> Ibid.

<sup>271</sup> Ibid.

<sup>272</sup> Christopher J. Le Mon, “Rwanda’s Troubled Gacaca Courts,” *Human Rights Brief* 14, no. 2 (2007), 19–20.

<sup>273</sup> Ibid., 18.

<sup>274</sup> Ibid., 19.

<sup>275</sup> Ibid.

<sup>276</sup> Timothy Longman, “Trying Times for Rwanda,” *Harvard International Law Review* 32 (2010). Accessed January 4, 2012. <http://hir.harvard.edu/law-of-the-land/trying-times-for-rwanda>.

played throughout the Gacaca process has prompted some scholars to argue that “the Gacaca courts have been a tool of fear and control for an authoritarian regime under the guise of seeking justice.”<sup>277</sup>

## **5. Sri Lanka**

Sri Lanka presents an intriguing case study on two grounds. First, their reconciliation process represents the most recent state attempt, beginning in 2009. Also unique, is that the war ended without a negotiated settlement, but a complete military victory by the ethnic majority over the minority. The resulting reconciliation process that followed is easily the most criticized of any of our case studies, yet that should not exclude an attempt at gaining insights or lessons learned.

Sri Lanka’s population is mostly divided between Sinhalese and Tamil speaking groups. The Sinhalese, predominately Buddhists, represent 74% of the population while the Tamils, predominately Hindu, comprise 18%.<sup>278</sup> Both groups claim to be the original settlers of Sri Lanka nearly 2500 years ago, yet lived in relative peace with one another up until western colonization.<sup>279</sup> Under British colonialism, divide and rule policy discriminated against the Sinhalese and placed a disproportionate amount of other ethnic minorities in government bureaucracy and educational system. The Tamils especially benefited from their high English literacy taught by American missionaries.<sup>280</sup> Post-colonial rule brought these tensions into the open as the majority Sinhalese government sought to remedy the imbalance in the bureaucracy and education system. In 1956, Sirimavo Bandaranaike won the Prime Ministry by appealing to the mass linguistic identity with a “Sinhala-only, and in twenty-four hours” policy.<sup>281</sup>

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<sup>277</sup> Ibid.

<sup>278</sup> BBC News, “Sri Lanka: The Ethnic Divide,” May 16, 2000. Accessed 4 January 2013, [http://news.bbc.co.uk/2/hi/south\\_asia/514577.stm](http://news.bbc.co.uk/2/hi/south_asia/514577.stm).

<sup>279</sup> Neil DeVotta, “Ethnolinguistic Nationalism and Ethnic Conflict in Sri Lanka,” in *Fighting Words: Language Policy and Ethnic Relations in Asia* (Cambridge: Belfer Center for Science and International Affairs, 2003), 111–113.

<sup>280</sup> Ibid.

<sup>281</sup> Ibid., 118–123.



Soon afterwards, legislation made Sinhalese the official language of Sri Lanka, officials who did not speak Sinhalese were given a timeline to learn or lose their jobs and Tamils were given a higher requirement on entry exams to gain admittance to universities.<sup>282</sup> Under this new system, the Tamils responded with protests, rallies, and boycotts. This in turn led to Sinhalese counter protests followed by escalating scale violence on both sides such as the 1974 killing of 9 Tamils by Sinhalese policemen.<sup>283</sup> Two years later, the radical Liberation Tigers of Tamil Elam (LTTE) were established as an organized resistance group, fighting for an independent Tamil state. Violence hit a high mark in 1983 after the LTTE killed 13 Sri Lankan military soldiers.<sup>284</sup> After this, full scale civil war erupted between the Sri Lankan government forces and the LTTE. For three decades, this bitter war displaced hundreds of thousands and witnessed human rights violations on all sides. In May of 2009, the LTTE was crushed in a final battle that killed the leader.<sup>285</sup>

With the Tigers vanquished and 287,000 Tamils safely locked in government refugee camps, President Mahinda Rajapaksa promised he would engage the Tamil people and take action to foster national reconciliation.<sup>286</sup> This resulted in 8 handpicked government members forming a Lessons Learnt and Reconciliation Committee (LLRC). The LLRC was given a weak mandate to investigate the causes and circumstances of why a ceasefire was broken between February 21, 2002 through May 19, 2009.<sup>287</sup> Its investigative process relied largely on government materials, did not enter off limits areas where the heaviest civilian casualties occurred, or seek to protect witnesses that did come

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282 Ibid., 124–131.

283 Ibid., 131.

284 Ibid., 133–147.

285 Amita Shastri, “The Tiger’s Shadow: Bringing a Close to Sri Lanka’s Long War,” *Foreign Affairs* August 2009. Accessed 8 January, 2012. <http://www.foreignaffairs.com/articles/65212/amita-shastri/the-tigers%C3%A2%E2%82%AC%E2%84%A2-shadow>.

286 Ibid.

287 Amnesty International, *When Will They Get Justice? Failures of Sri Lanka’s Lessons Learnt and Reconciliation Commission* (London: Amnesty International, 2011), 9–10.

forward.<sup>288</sup> Even more controversial, the report did not investigate the known government violations of human rights during the war, leading groups like Amnesty International, Human Rights Watch, and the International Crisis Group to sharply condemn the report as biased and call for international accountability.<sup>289</sup>

### C. LESSONS LEARNED

No reconciliation process is perfect. It may take generations to be achieved, if even a full reconciliation is at all possible. In the present, the efforts of these 5 countries do share overlapping indicators that led to positive and negative short-term results. Most of the reviewed countries chose to separate truth and justice into two processes. First uncovering the truth in past events (or make nationally known what is already locally known) and provide a public report of what happened. Then several states instituted a justice process based on the results. This provided time for countries like Peru and Liberia to travel throughout a country, take statements, exhume graves, build databases, and craft a more full narrative of what happened, before then assigning guilt and proceeding with trials.

Rwanda elected not to separate this process and to limit the truth-finding to actions on one ethnic side. This permitted one ethnic group to lay mass accusations against another group and leave no room for criticizing the process. This does not bode well for building reconciliation. Justice is never one-sided. In Sri Lanka, the entire world knows (and the UN has even acknowledged) that in the course of its civil war, the military committed atrocities such as intentional shelling of civilians and destroying of medical centers.<sup>290</sup> Yet its reconciliation process was completely biased and ignored this. It is unlikely that the thousands of Tamils who lost innocent family, friends, and neighbors are going to forget. Just as reconciliation is not defined as a single group process, nor should investigating truth or giving justice be limited to a single group.

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288 International Crisis Group, "Statement on the Report of Sri Lanka's Lessons Learnt and Reconciliation Commission," December 22, 2011. Accessed 8 January, 2012.  
<http://www.crisisgroup.org/en/publication-type/media-releases/2011/asia/statement-on-the-report-of-sri-lanka-s-lessons-learnt-and-reconciliation-commission.aspx>.

289 Amnesty International, *When Will*, 7.

290 Ibid., 25.

Legitimacy is important to the process. This begins with who is picked to be on a truth and reconciliation committee. Is the group perceived as an independent or merely government appointed toadies? Sri Lanka did this and resulted in an obvious pro-government bias recognized by many. It took Liberia's commission two years before other groups could agree on the members. South Africa had a more independent commission with public voting, civil society screening, government final election process that resulted in a diverse group. Depending on the context, witness protection may also be a requirement. It is only logical that people will not come forward to give information if they feel that doing so threatens their life or that of their families. If witnesses are susceptible to intimidation as in Rwanda and Sri Lanka, legitimacy may be hard to attain. A witness protection program is an advanced endeavor that requires a degree of state bureaucracy, however.

Delivering justice is perhaps the most challenging aspect. Accountability must be balanced between punishment in the name of justice and forgiveness/amnesty in the name of reconciliation. This line will vary from country to country. From the case studies, it appears that the needle leans more reconciliation than justice. A country like Peru may draw criticisms for not being slow or not aggressive enough with prosecutions, yet the opposite end of the spectrum can threaten renewed violence as in the case of Liberia. South Africa's truth-for amnesty is an interesting compromise, but it depends on being able to entice individuals to come forward and admit crimes.

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## VI. CONCLUSION

Syria remains locked in a bitter civil war and there is no foreseeable end at the time of this writing. In assuming a future environment where Assad loses power and the opportunity for peace exists, three immediate problems that will hinder stability in Syria are examined. By piecing together academic theories and real-world applications, one can devise a rough “best practices” model for post-Assad Syria to minimize ethnic strife and avert a return to civil war. Much of the literature and case studies included African examples, inviting critics to question the applicability to an Arab state. To this, the author submits that these examples are all we have as a guide. Much of the focus of this thesis is new territory for the Mid East. While this model is far from any sort of guarantee, it does offer a minimum starting point for consideration for planners interested in a stable post-Assad Syria.

- End large scale violence with a negotiated peace settlement between the leaders of all armed groups- not figurehead representatives.
- Peace settlement should call for international guarantees and agree on an arms management structure to control violence.
- Armed groups are held accountable by combination of its leaders agreeing to abide by treaty terms and capable international force to deter any side from reneging.
- Credible third party peacekeeping force best way to manage domestic anarchy and prisoner’s dilemma between rebel and government forces.
- Turkey and Russia each represent the strongest combination of state interest and military capacity to take the lead role of an international peacekeeping mission in Syria.
- The monopoly of violence is gradually returned to the Syrian government by an agreed upon plan that manages security sector reform and disarmament of armed groups. Rebels groups cannot be expected to disarm if state security forces still pose threat.
- There are many different ways to approach DDR and SSR. The important factor is to link together in a combined approach that all sides agree to. Creating new state security apparatus with select integration of rebels through joint committees may be one practical compromise as many career military officers are rebel leaders.

- Syria should adopt a power sharing democracy for a limited time period to facilitate the transition to peace. During this time, all groups will have a say in drafting a constitution, legal framework, and truth commission. To avoid locking in ethnic differences and becoming politically deadlocked, government should transition to a power dividing democratic model.
- Syria must face its past, uncover the truth, and provide a national narrative of what happened during Assad's rule in power. This begins with empowering a neutral, independent truth commission that investigates human rights abuses on all sides.
- Justice must be delivered to the extent possible on an individual basis. The negotiated peace plan is likely to call for immunity for many current government elites. Those not protected may benefit for a truth for amnesty program if there is a credible threat of prosecution. Witnesses, judges, lawyers must be protected and free from intimidation.
- Balance between justice and reconciliation is a fine line. Peace is historically served better when needle is closer to amnesty/forgiveness in name of reconciliation then toward prosecutions in the name of justice.

#### **A. POST-ASSAD SECURITY ENVIRONMENT**

The immediate challenge for Syria is to develop a safe and secure environment. Without this environment, Syria will remain unstable and struggle to rebuild. Minor conflicts pose a threat to erupt into widespread conflicts and violent instability in Syria would continue to have regional spillover effects on neighboring states. This could potentially result in a regional ethnic war with Syria in the center. Steps must be taken by both rebel and government elites in order to stabilize the security environment.

##### **1. Negotiated Settlement between Leaders of Warring Parties**

The transition from war-time environment to peace-time environment begins with a peace agreement on each side. For peace to last, this agreement must be more than simple ceasefire or temporary truce, but instead provide the building blocks for a last security environment. A basic settlement between government and rebel leaders addresses concerns of both parties and calls for an end to conflict. In Syria, this is likely to center on an agreement that provides for a new government and guarantees for current

regime elites. Regardless of how each side agrees to address each other's demands, it is more important that the agreement is with leaders of the major warring parties.

After Assad's fall, another individual (most likely an Alawi General) is likely step in and fill the power vacuum. The length of time may vary based on the way Assad departs, but the previous actions of government elites suggests that they will form a consensus in order to serve their collective interests.<sup>291</sup> Based on the constructs of the Syrian military, Assad's replacement will likely retain full control of all government forces. The Syrian military is professionally trained and organized under a Soviet doctrine.<sup>292</sup> The combination of Russian military advising and Hafez Assad's insistence on a personal chain of command from the President to commanders has created a very centralized military. While corruption among military commanders is prevalent, the same commanders have historically shown little "initiative or the ability to react to opposing forces without deferring to their superiors in the chain of command."<sup>293</sup> With such control over the Syrian military, there's little reason to suspect that the forces would violate a withdrawal or cease and desist order from the new President.

The opposition leadership is far murkier. The Syrian National Council (SNC) was formed in October of 2011 as a collection of opposition groups in Turkey and served point of contact for the international world.<sup>294</sup> Two months later Secretary Clinton recognized the group as the "leading and legitimate representative of Syrians seeking a peaceful transition."<sup>295</sup> Yet the group is internally divided and has little credit with the actual opposition fighters inside Syria. This prompted the establishment of the National Coalition for Syrian Revolutionary and Opposition Forces in November of 2012, with the

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<sup>291</sup> Van Dam, *Struggle For Power*, 132–135.

<sup>292</sup> Joseph Holliday, "Syrian Army Doctrinal Order Of Battle," *Institute for the Study of War*, (February 2013), 5.

<sup>293</sup> *Ibid.*

<sup>294</sup> BBC News, "Guide to the Syrian Opposition," November 12, 2012. Accessed February 2, 2013. <http://www.bbc.co.uk/news/world-middle-east-15798218?print=true>.

<sup>295</sup> CNN, "Clinton to Syrian Opposition: Ousting Al Assad is Only First Step In Transition," December 6, 2011. Accessed 15 March, 2012. [http://articles.cnn.com/2011-12-06/middleeast/world\\_meast\\_clinton-syrian-opposition\\_1\\_assad-syrian-opposition-syrian-national-council?\\_s=PM:MIDDLEEAST](http://articles.cnn.com/2011-12-06/middleeast/world_meast_clinton-syrian-opposition_1_assad-syrian-opposition-syrian-national-council?_s=PM:MIDDLEEAST).

hopes of encompassing more groups and providing a more effective administration.<sup>296</sup> These political groups appear to be jockeying for position to receive international recognition and collect and distribute aid.<sup>297</sup> While this is important, it is doubtful that these groups have control of the armed groups inside Syria, the way the President does of the government forces.

In order for meaningful peace settlement to exist, leaders of the armed groups must be brought on board the peace process. What good is a figurehead organization in Istanbul or Qatar agreeing to end hostilities if it does not control the means to do so? This is a significant shortcoming with the Syrian opposition. The Free Syrian Army is the most visible armed group, comprised initially of former army defectors and led by Colonel Riad Assad. Despite its high profile, (including embedding reporters, maintaining a website, providing regular online videos, etc.) the group is also a blanket organization for many others, and its actual size is unknown as is how much control Colonel Assad actually has over the group.<sup>298</sup>

When it comes time to sign an accord on behalf of the Syrian rebels, all of its major armed groups must be organized with leaders that can effectively control, represent, and hold their forces accountable. To affect this end, an effort needs to be made to identify who the large, organized militia groups are, recognize its leadership, and provide incentives to hold its forces accountable and join the others groups at the negotiating table when the time comes. This may require facing a harsh reality that many of powerful rebel groups inside the Syrian opposition may be radical Islamists. As unpalatable as this cooperation may seem, it is better than the alternative of excluding a powerful armed group. If unchecked, a single spoiler group has the ability to easily drag Syria back into civil war, the same way a single rebel group in Congo did despite the 22 other groups having agreed to peace.<sup>299</sup>

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296 BBC News, "Syrian Opposition."

297 Ibid.

298 Christopher Phillips, "Syria's Torment," *Survival: Global Politics and Strategy* 54, no. 4 (2012): 75.

299 Kreps, "Peacekeeping Succeed or Fail," 10–12.



## **2. Gain Committed and Capable International Support**

International support will be crucial to fostering a security in post-Assad Syria. Not just with aid, but in providing international peacekeepers. Peacekeeping missions are often criticized, but evidence does support that peacekeepers have a significant impact on reducing war recurrence.<sup>300</sup> What's more, a third party peacekeeping force offers a tool to manage the domestic anarchy and accompanying prisoner's dilemma situations that has immediately followed some many other peace agreements. Because neither the Syrian government nor the rebel groups will have vanquished each other, each will retain the capacity to renew violence and renege on peace terms when a clear advantage is perceived. Neither side has reason to trust the other. An international peacekeeping force can observe all parties and enforce compliance by raising the cost of reneging on terms.

In the case of Syria, this international mechanism is likely to be a UN mandated peacekeeping force. Syria's opposition is divided in their support of foreign soldiers inside Syria with some agreeing to the presence of armed peacekeepers if Assad is removed from power.<sup>301</sup> The U.N. Under-Secretary-General for Peacekeeping Operations reported on October 22, 2012 that his group had already begun drafting plans to send peacekeepers to Syria once the sides agreed to cease-fire.<sup>302</sup>

As discussed however, not all peacekeeping is equal. Peacekeeping missions have shown to be more effective when a state has both a national interest and sufficient military capacities. What states best fit this category with regard to Syria? A better question may be what states have security interests, economic investments, strategic interests, alliance loyalties, or past colonial ties with Syria? The list of potential countries meeting the criteria includes: France with colonial ties, Russia with deep economic and strategic interests, Iran with its own strategic interests and alliance with the regime, and Lebanon, Jordan, Turkey, and Israel share security concerns as neighboring states. For

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300 Fortna, *Does Peacekeeping Work*, 173.

301 Oliver Holmes, "Syria Rebels Bombed as Opposition Open to Peacekeepers," Reuters, December 1, 2012. Accessed February 2, 2012. <http://www.reuters.com/article/2012/12/01/us-syria-crisis-idUSBRE8AJ1FK20121201>.

302 CNN, "UN Mulling Peacekeepers if Syrian Foes Reach Cease-Fire," October 22, 2012. Accessed February 2, 2012. <http://www.cnn.com/2012/10/22/world/meast/syria-civil-war>.

obvious reasons, Israel is not an option. Nor is Iran a realistic option to lead a UN peacekeeping mission. The return of any French forces in Syria would not be met with enthusiasm. Iraq, Jordan, and Lebanon are each facing their own internal challenges. Even if they possessed the political will to fully endorse a peacekeeping mission, their combined military strength is still far behind the capacity of the Syrian military.<sup>303</sup> This leaves Russia and Turkey as the two countries with the strongest state interest and military capacity to lead a UN peacekeeping mission.

Turkey is already supporting the opposition in a number of ways. It has opened its borders to Syrian refugees (over 1630,000 as of Jan. 2013) and spent \$40 million per month to provide healthcare and education in its refugee camps.<sup>304</sup> Opposition groups operate freely in Turkey. Finally Turkey closed its border to commercial traffic with Syria and significantly reduced trade including all electricity sales.<sup>305</sup>

Russia has cautiously supported Assad's regime while trying to foster intra-Syrian dialogue. Russia has strategic ties to Syria with its weapon sales, navy base in Tartar, and thousands of Russians living in Syria.<sup>306</sup> Some may argue that Russia's support for Assad and veto of stronger actions at the UN Security Council may make it impossible for Russia to play a supporting role in post-Assad Syria. If it becomes evident that the Assad ship will sink, it is conceivable that as a rational actor, Russia may switch sides to preserve its interests with a new government. There are already signs of this as Russian Prime Minister Dmitry Medvedev recently claimed Assad "has made a grave, possibly fatal mistake," and that "his chances of retaining power are getting 'smaller and smaller'

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303 Anthony H. Cordesman and Aram Nerguizian, "The Arab-Israeli Military Balance," Center for Strategic International Studies, Working Paper, June 29, 2010.

304 Soner Cagaptay, "Syria's War Affecting Turkey in Unexpected Ways," The Washington Institute, January 29, 2013. Accessed February 4, 2013. <http://www.washingtoninstitute.org/policy-analysis/view/syrias-war-affecting-turkey-in-unexpected-ways>

305 Ibid.; U.S. Energy Information Administration, "Syria Analysis," February 20, 2013. Accessed February 23, 2013. <http://www.eia.gov/countries/cab.cfm?fips=SY>

306 Dmitri Trenin, *The Mythical Alliance Russia's Syria Policy*, (Washington, DC: Carnegie Endowment for International Peace, 2013), 12–13.

every day.”<sup>307</sup> This prompted the Free Syrian Army opposition to respond, “The unified command of the Free Syrian Army views the statements made by the Russian prime minister on Syria and the fate of Bashar al-Assad as Russia’s new position the Syrian crisis.”<sup>308</sup>

### **3. Agree on an Arms Management Plan**

Also important to the long-term security of Syria, is agreeing to an arms management strategy. This includes how best to disarm the vast groups of militias throughout Syria with DDR programs, how to best reform the security sector into organizations that do not threaten the Syrian citizenry, and in what order these two are sequenced. As the current Libyan situation has shown, security cannot be outsourced to militias if the state is to move forward.<sup>309</sup>

For these reasons, an inclusive solution for disarmament and security reform needs to be agreed by the armed groups. Different states have pursued a variety of methods, and there is no one approach that stands out above the others. Common agreements include setting percentages of rebel forces to disarm and quotas to integrate rebels into the state police and military structures. Facilitating rebel and military integration into a common structure requires mutual cooperation between military and rebel leaders. Some states utilized joint technical committees that included international experts to examine how best to integrate forces and develop future security and defense strategies.<sup>310</sup> In Syria, this model may work well, as a number of rebel leaders are former Syrian officers who defected, such as Colonel Assad of the FSA. As career military officers and rebel leaders, these men have a unique understanding of each armed side and will be well positioned to foster an integration approach.

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307 Ria Novosti, “Syrian Rebels Hail Russia’s ‘New Stance’ on Syria,” *Turkish Weekly*, January 29, 2013. Accessed February 4, 2014. <http://www.turkishweekly.net/news/146840/syrian-rebels-hail-russia%C3%ADs-%C3%ABnew-stance%C3%AD-on-syria.html>.

308 Ibid.

309 Pelham, “Libya in the Shadow.”

310 Veronique Dudouet, “Nonstate Armed Groups and the Politics of Postwar Security Governance,” in *Monopoly of Force: The Nexus of DDR and SSR*, ed. Melanne A. Civic, et al. (Washington, DC: National Defense University, 2010), 15–19.

While some may argue that disarming rebels must be done immediately, this need not be the case. Certainly the monopoly of legitimate force needs to be returned to the state—but it may be more practical to do so gradually over a period of time. Weapons are the only means of protection for rebels against the arsenal of the state military apparatus. These opposition groups will be in no hurry to completely disband and disarm until the security sector has reformed to a point where it does not threaten them. Rebuilding police and military institutions take time. In the case of South Africa, the ANC did not disarm all of its armed wings until it was in firm control of the state and military four years after the accord.<sup>311</sup> This may work for Syria providing that the rebels who retain their weapons as a fallback measure are accountable to elites who have the ability (and interest) to control their forces.

It is easy to emphasize the importance for armed groups agreeing to a strategy. In theory, both military and rebels alike stand to benefit from a secure environment. Because neither side can fully defeat one another, the prospect should sound appealing on paper to creating a new security apparatus where neither military nor rebels dominate by structure or culture.<sup>312</sup> On the practical level this is an extreme challenge. These groups are waging war with one another every day. It may seem an oversimplification to claim that elites from warring groups just need to agree to commit to a plan, but this is far from simple. It is frustrating from both an academic and policy making perspective that there is such little guidance for how to affectively achieve this. Even if disarming and reform of the security sector go exactly as planned, it is only one piece of the larger complex challenge. A stable security environment still requires “an entire package of legal, political, and institutional reforms.”<sup>313</sup>

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311 Ibid., 10.

312 Mark Knight, “Military Integration and War Termination,” in *Monopoly of Force: The Nexus of DDR and SSR*, ed. Melanne A. Civic, et al. (Washington, DC: National Defense University, 2010), 63.

313 Josef Teboho Ansorge and Nana Akua Antwi-Ansorge, “Monopoly, Legitimacy, Force: DDR-SSR Liberia,” *Monopoly of Force: The Nexus of DDR and SSR*, ed. Melanne A. Civic, et al. (Washington, DC: National Defense University, 2010), 282.

## **B. DEMOCRATIC ENGINEERING**

When Syria moves toward developing a democracy, it will do so with an extremely divided society. The underlying divisions between religious groups in Syria after the Ottoman were exploited by the French divide-and-rule policy. This paved the path for the Alawite minority to use the military as a ladder to seize political power 20 years later. For decades, Alawites dominated Syria and maintained privileged government and military positions. Many Christians and Sunni businessmen also benefitted under the authoritarian government and are now caught between support for Assad and fear for a violent change. The Sunni majority has led the protest and opposition movement.<sup>314</sup> With over 70% of the population, democracy will place Sunni Muslims in power. Many fear that this power will be used to assert Sunni dominance over other groups or possibly to take revenge on Alawites or Christians.<sup>315</sup>

The nature of the ethnic divisions in Syria must be taken into account when deciding on a democracy for Syria. Because the risk of sectarian strife and ethnic civil war in Syria is real, majoritarian democracy models must be rejected. The benefit of consolidating power and quickly implementing change in Syria is appealing, but not at the expense of shutting minority groups from power who fear for their future. Power consolidation could work well in other states if the minority in question is a subgroup or does not present any foreseeable threat to use violence as means of recourse. Where the minority groups like the Alawi have history of deep tensions, divisions, and use of violence with the majority, immediately consolidating power is not feasible. Democracy should work to minimize ethnic violence, not provide another instrument for it. This leaves the two approaches of power sharing and power dividing for plausible models of democracy in Syria. Proponents of each theory offer case studies and data sets supporting evidence, yet neither is conclusive in demonstrating one side is more likely to offer peace and stability.

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<sup>314</sup> Sharp and Blanchard, "Conflict in Syria," 2.

<sup>315</sup> Ibid.

Power sharing has become the standard approach for building peace and democracy after a civil war.<sup>316</sup> The reason for this phenomenon is the ability for power sharing arrangements to help facilitate a transition to peace by providing an immediate compromise between ethnic elites.<sup>317</sup> In the long term, power sharing arrangements have trended political stagnation in a variety of countries ranging from Bosnia-Herzegovina, Cambodia, Liberia, Lebanon, Afghanistan, Iraq, etc. This is largely a consequence of ethnicity becoming reified in politics to the point where ethnic parties cannot reach an agreement with others resulting in a political deadlock.<sup>318</sup> Syria's ethnic divisions leave nothing to suggest it would fare any different in the long term under power sharing arrangements.

Power dividing sounds very appealing on paper. By splitting power among multiple majorities, the "nation state stewardship" concept deemphasizes the nature of ethnicity in politics.<sup>319</sup> It would be ideal if Syria reached a point where shared mutual interests lead to Syrians perceiving one another as doctors, engineers, and teachers instead of Sunni, Alawi, or Druze. But is this model realistic for Syria immediately following post-civil war?

For a government to succeed under power-division there must be a civil society with elites from all ethnic groups ready to take limited power and drive decisions. A justice system must be able to protect the rights of those groups and careful legal crafting is necessary to set checks and balances to ensure no majority group can dominate over another. This advanced government appears beyond the immediate reach of immediate grasp of post-conflict Syria with hundreds of thousands of refugees having already fled the country and the economy in ruin. The Syrian pound has devalued 72% in less than three years as the economy has shrunk from pre-conflict \$57.5 billion to 2013 levels of

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316 Rothchild and Roeder, "Dilemmas of State-Building," 5.

317 Ibid.

318 Katia Papigianni, "Power Sharing—A Conflict Resolution Tool?" Center for Humanitarian Dialogue. Accessed February 4th, 2012, 27–29.  
[http://www.communicationcache.com/uploads/1/0/8/8/10887248/power\\_sharing\\_-\\_a\\_conflict\\_resolution\\_tool.pdf](http://www.communicationcache.com/uploads/1/0/8/8/10887248/power_sharing_-_a_conflict_resolution_tool.pdf).

319 Rothchild and Roeder, "Nation-State Stewardship," 320.

\$27 billion.<sup>320</sup> Much of Syria's infrastructure is devastated, including schools, medical centers, and power grids. While this may not be inclusive of all of Syria, these represent significant short-term problems that would hinder an advanced power dividing approach initially.

In light of these facts, the model would benefit a post-Assad Syria in both short and long term is a combination of each. Begin with a consociational power sharing arrangement as advocated by Lijphart that affords the guarantees of ethnic quotas and veto power, but limit the time for this government to set amount of years before an agreement to transition to the multiple majority power-dividing system. This arrangement allows the strengths of each approach to work in Syria.

By offering power sharing arrangements such as ethnic quotas and minority veto, elites have an incentive to agree on a civil war peace settlement. This should also help to alleviate the concerns of Alawi and other minority groups of an unchallenged Sunni dominance. During this time, the power-sharing government can focus on the immediate post-conflict challenges such as drafting a constitution, reforming a justice system, rebuilding infrastructure, managing refugee returns, and forming a consensual reconciliation approach. Bosnia offers an example of a power-sharing state that is politically deadlocked today, but did address many immediate post-conflict challenges such as returning most property to prewar owners, rebuilding homes and bridges, paving highways, developing a tourism industry, and gradually reducing the number of peacekeepers and NGOs in its country.<sup>321</sup>

In order to avoid stagnating under power-sharing agreements that require approval from multiple groups, Syria would hold elections and transition government forms after the set number of years. Once a legal framework is in place, the country is in rebuilding mode, refugees have returned home, and civil society has a safe enough environment to

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320 Massoud A. Derhally, "Syria's Economy to Shrink 15% as Turmoil Continues," *Arabian Business*, March 3, 2013. Accessed March 3, 2013. <http://www.arabianbusiness.com/syria-s-economy-shrink-15-as-turmoil-continues-491641.html>.

321 Valery Perry, "A Survey of Reconciliation Processes in Bosnia and Herzegovina: the Gap Between People and Politics," in *Reconciliation(s) Transitional Justice in Postconflict Societies* ed. Joanna Quinn (Montreal: McGill-Queen's Press, 2009), 207.

begin engaging in unions and other associations, then Syria will be in a position to construct multiple majority groups to divide power among. This approach of beginning with power sharing and transitioning to a different system has been done successfully by South Africa.

During South Africa's post-apartheid era, power sharing arrangements were utilized from 1993–1996.<sup>322</sup> Both white and black elites officially recognized the need to facilitate economic recovery, reinforce a spirit of national unity, and guide the country through an uncertain change.<sup>323</sup> Each group had reasons for their own self-interest reasons also. Despite having the obvious majority support, the ANC agreed to share power also out of a “strategic necessity” to minimize a revolutionary threat from emerging in the outgoing bureaucracy, security forces, or other potential spoiler groups.<sup>324</sup> Other parties knew that it was only a matter of time before the ANC would emerge as the leading government party, yet participated in power sharing as an opportunity to negotiate for policies that would protect and benefit their groups. This included placing limits on majority power in the new constitutions, forming a strong judiciary, providing private property rights, and gaining provisions for cultural and language rights.<sup>325</sup> This process was contentious, but ultimately a new constitution was passed in 1996 with a 421–2 vote, that placed structured a new majoritarian style democracy.<sup>326</sup> There is no reason that Syria could not approach the transition to power dividing democracy.

### C. POST-CONFLICT RECONCILIATION

The decision for a post-Assad government to pursue a reconciliation approach may very well set the path for Syria's future for generation. There are risks either way

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322 Timothy D. Sisk and Christoph Stefes, “Power Sharing as an Interim Step in Peace Building: Lessons from South Africa,” in *Sustainable Peace: Power and Democracy After Civil Wars*, eds. Philip Roeder and Donald Rothchild (Ithaca: Cornell University Press, 2005), 30.

323 Ibid., 294–295.

324 Ibid., 303.

325 Ibid., 303–304.

326 Ibid.



and no one can say for certain that Syria will benefit from attempting to repair relations between its ethnic groups. Three facts however, strongly indicate the necessity to do so.

First, there is the incentive not to follow a path of neighboring Lebanon. Lebanon chose not pursue any form reconciliation after its civil war, ignored its past, and focused on peace in the future. Today, the country is strongly divided and remains unstable.<sup>327</sup> Syria does not want to become Lebanon. Next, there is the staggering amount of atrocities and human rights abuses that are happening on a daily basis in Syria-from both sides. The more deaths and disappearances, the more traumatized society becomes, and the more opportunities to build hate and resentment ethnic groups. Finally, the leading opposition groups have continuously listed accountability as one of their stated goals that they are working for.<sup>328</sup>

If Syria does pursue reconciliation, there are lessons from past approaches that should be applied. Reconciliation requires acknowledgement of the truth and accountability to bring individuals to justice. Most states divided these objectives into separate mechanisms in the form of truth commissions and trials. It is important that these processes be applied to all sides of the conflict equally. In the cases of Rwanda and Sri Lanka, investigating truth and assigning blame became one-sided. This is counterproductive to reconciling between ethnic groups. The same result is likely in Syria to happen if truth and justice processes are limited to only crimes committed by the Syrian government.

There is no question that the Syrian military, secret police (*mukhabarat*), and state militias (*shabbiha*) are committing gross human rights abuses and have much to answer for. Equally certain though, are that rebel groups are committing atrocities against soldiers and civilians. The UN Human Rights Council commission of inquiry is one of

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327 El-Masri, "Reconciliation in Lebanon," 272–291.

328 "The National Coalition of Syrian Revolutionary and Opposition Forces," Local Coordination Committees, November 12, 2012. Accessed 6 February 2013. <http://www.lccsyria.org/10488>.

several groups that have accused both sides of committing crimes against humanity.<sup>329</sup> Truth and justice must be pursued for all victims of Syria.

A crucial part of affording truth and justice to all groups is in structure the mechanisms in a way that is perceived as legitimate. This begins with the selection of members for truth committees or trial. There is no set formula for how to decide who is a neutral, respectable person. In many cases, the governments in power simply picked people, other times it did so in conjunction with other ethnic parties, and sometimes with public voting civil society screening. Whatever the method for Syria, it is important that the members represent the diversities of Syria's ethnic groups, be perceived as neutral, and independent of the government.

Truth commission can only be as effective as its mandate and resources allow. Many of the more effective examples discussed in this chapter received resources to collect thousands of statements, compile victims' databases, and protect witnesses that come forward. A mandate that empowers the Syrian truth commission to subpoena, conduct searches, and seize evidence may aid in the process of truth-finding only if its members are diverse and perceived as legitimate. Otherwise, it may serve to deepen divides with the perception as an ethnic tool out for revenge. Finally, the mandate for the commission needs to have a specific timeline for events to investigate. A good starting point may be the time of Bashar Assad's rule until the day of the peace settlement.

Delivering justice is the most challenging aspect. Some amnesty measures will have to have already been in place before a peace treaty even arrives. It is simply not feasible for Assad's replacement to agree to a settlement where he and his associates risk prosecution and imprisonment. This must be a carefully managed process as blanket amnesty for all will not meet the accountability process of reconciliation. On the other side, assigning mass guilt to everyone and either dismantling an entire military (Iraq-style) or bringing half of the adult male population of an ethnic group to trials (Rwanda-style), are not actions conducive to repairing relationships. There is no way to assess where in the future this line should be drawn or how many individuals should be

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329 Sharp and Blanchard, "Conflict in Syria," 2.

prosecuted. With history as a guide however, erring on the side closer to amnesty and forgiveness yields criticism for not prosecuting enough, while being too aggressive has threatened a return to war or accused elites in power attempting to shelve the process.

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